

FEDERAL REGISTER

VOLUME 27
NUMBER 99

Washington, Tuesday, May 22, 1962

Contents

THE PRESIDENT

Proclamation

Prayer for Peace, Memorial Day, 1962..... 4803

EXECUTIVE AGENCIES

Agricultural Marketing Service

RULES AND REGULATIONS:
Lemons grown in California and Arizona; handling limitation... 4806

Agricultural Research Service

RULES AND REGULATIONS:
Territorial quarantine notices; administrative instructions approving methyl bromide fumigation as condition for certification of avocados for movement from Hawaii..... 4805

Agricultural Stabilization and Conservation Service

PROPOSED RULE MAKING:
Milk in Nebraska-Western Iowa marketing area; notice of hearing..... 4812

Agriculture Department

See Agricultural Marketing Service; Agricultural Research Service; Agricultural Stabilization and Conservation Service.

Civil Aeronautics Board

NOTICES:
Large irregular air carrier investigation; United States Overseas Airlines, Inc., for renewal of temporary certificates of public convenience and necessity; order to show cause..... 4815
Tulsa-Denver restriction case; notice of postponement of prehearing conference..... 4816
TWA, Allegheny, Mohawk transfer case; notice of prehearing conference..... 4817

RULES AND REGULATIONS:

Exemption of air carriers for short notice military contracts; standard mileage rule..... 4806

Coast and Geodetic Survey

RULES AND REGULATIONS:
Charges for certifying, searching, and copying services; copies of geodetic control data..... 4810

Commerce Department

See also Coast and Geodetic Survey.

NOTICES:
Under Secretary of Commerce for Transportation; delegation of authority with respect to Office of Emergency Transportation... 4814

Emergency Planning Office

RULES AND REGULATIONS:
Federal disaster assistance; agreements..... 4805

Federal Aviation Agency

NOTICES:
General Aviation District Offices, Medford, Oreg., and Palo Alto, Calif.; notice of closing..... 4817

PROPOSED RULE MAKING:
Transition area; designation..... 4812

RULES AND REGULATIONS:
Alterations:
Control zones (2 documents).... 4809
Control zone and control area extension..... 4809
Federal airway..... 4809

Federal Communications Commission

NOTICES:
Hearings, etc.:
Dakota Microwave Co..... 4817
Jefferson Radio Co. (WIXI) and Voice of the Mid-South..... 4817
Rhode Island-Connecticut Radio Corp. (WERI-FM) and Willie Broadcasting Co..... 4818
Triangle Publications, Inc. (WNHC-TV)..... 4818

Federal Maritime Commission

NOTICES:
Agreements filed for approval:
Hanson, T. J., et al..... 4818
Nordstrom Freighting Corp. et al..... 4818
Exclusive Patronage (Dual Rate) Contracts; notice of filing:
Associated Steamship Lines (Manila)..... 4819
Brazil/United States-Canada Freight Conference..... 4819
Capca Freight Conference..... 4819
Gulf/French Atlantic Hamburg Range Conference..... 4819
Gulf/Mediterranean Ports Conference..... 4818
Pacific Coast European Conference..... 4820
Pacific Westbound Conference..... 4819

Federal Power Commission

NOTICES:
Hearings, etc.:
Area rate proceeding et al..... 4820
Florida Gas Transmission Co... 4822
Socony Mobil Oil Co., Inc..... 4821
Southwestern Public Service Co..... 4823
Sunray Mid-Continent Oil Co. et al..... 4824
Trunkline Gas Co. and Texas Gas Transmission Corp..... 4824

Food and Drug Administration

PROPOSED RULE MAKING:
Food additives; notice of filing of petitions (2 documents).... 4812

Geological Survey

NOTICES:
Potash Area, Lea and Eddy Counties, New Mexico; delegation of authority with respect to drilling of wells..... 4814

Health, Education, and Welfare Department

See Food and Drug Administration; Social Security Administration.

(Continued on next page)

Interior Department

See Geological Survey.

Interstate Commerce Commission

NOTICES:

Fourth section application for relief.....	4825
Motor carrier transfer proceedings.....	4825

RULES AND REGULATIONS:

Carriers by motor vehicle; New York, N.Y., commercial zone....	4810
--	------

Securities and Exchange Commission

NOTICES:

Motors Building Realty Co.; notice of application for exemption to file reports.....	4825
--	------

Social Security Administration

NOTICES:

Foreign social insurance and pension system; notice of finding:	4814
Brazil.....	4814
Ivory Coast.....	4814

Tariff Commission

NOTICES:

Household china tableware and kitchenware; notice of investigation and hearing.....	4825
---	------

Codification Guide

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

Monthly, quarterly, and annual cumulative guides, published separately from the daily issues, include the section numbers as well as the part numbers affected.

3 CFR

PROCLAMATIONS:

3477.....	4803
-----------	------

7 CFR

318.....	4805
910.....	4806

PROPOSED RULES:

1065.....	4812
-----------	------

14 CFR

288.....	4806
600.....	4809
601 (3 documents).....	4809

PROPOSED RULES:

601.....	4812
----------	------

21 CFR

PROPOSED RULES:

121 (2 documents).....	4812
------------------------	------

32 CFR

1710.....	4805
-----------	------

33 CFR

303.....	4810
----------	------

49 CFR

170.....	4810
----------	------

Announcing first**5-year Cumulation****UNITED STATES
STATUTES AT LARGE****TABLES OF LAWS AFFECTED
in Volumes 70-74**

Lists all prior laws and other Federal instruments which were amended, repealed, or otherwise affected by the provisions of public laws enacted during the years 1956-1960. Includes index of popular name acts affected in Volumes 70-74.

Price: \$1.50

Compiled by Office of the Federal Register,
National Archives and Records Service,
General Services Administration

Order from Superintendent of Documents,
United States Government Printing Office,
Washington 25, D.C.



Telephone

WOrth 3-3261

prescribed by the Administrative Committee of the Federal Register, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D.C.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15 cents) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D.C.

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER, or the CODE OF FEDERAL REGULATIONS.

Presidential Documents

Title 3—THE PRESIDENT

Proclamation 3477

PRAYER FOR PEACE, MEMORIAL DAY, 1962

By the President of the United States of America A Proclamation

WHEREAS the supreme and selfless sacrifice of those who gave their lives on the field of honor have made it possible for succeeding American generations to remain free and enjoy the spiritual and material blessings of our free society; and

WHEREAS the courage and ideals of our noble dead have contributed to the advancement of the cause of world freedom and stand as an inspiration to us all; and

WHEREAS in our time we face a challenge which demands of us the same virtues of loyalty, courage, and devotion to country that characterized our fallen heroes; and

WHEREAS Memorial Day each year provides a fitting occasion upon which Americans may not only pay tribute to our honored dead but also unite in prayer for success in our search for a just and lasting peace; and

WHEREAS to this end the Congress, in a joint resolution approved May 11, 1950 (64 Stat. 158), requested the President to issue a proclamation calling upon the people of the United States to observe each Memorial Day as a day of prayer for permanent peace:

NOW, THEREFORE, I, JOHN F. KENNEDY, President of the United States, do hereby urge the people of the United States to observe Memorial Day, Wednesday, May 30, 1962, by invoking the blessing of God on those who have died in defense of our country, and by praying for a new world of law where peace and justice shall be assured for all; and I designate the hour beginning in each locality at eleven o'clock in the morning of that day as the time to unite in such prayer.

I also urge the press, radio, television, and all other media of information to cooperate in this observance.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this Eighteenth day of May in the year of our Lord nineteen hundred and sixty-two, and
[SEAL] of the Independence of the United States of America the one hundred and eighty-sixth.

JOHN F. KENNEDY

By the President:

DEAN RUSK,
Secretary of State.

[F.R. Doc. 62-5010; Filed, May 21, 1962; 10:36 a.m.]

Part II - The History

Chapter I - The Early Years

The first part of the history is the most interesting.

The second part of the history is the most interesting.

The third part of the history is the most interesting.

The fourth part of the history is the most interesting.

The fifth part of the history is the most interesting.

The sixth part of the history is the most interesting.

The seventh part of the history is the most interesting.

The eighth part of the history is the most interesting.

The ninth part of the history is the most interesting.

The tenth part of the history is the most interesting.

The eleventh part of the history is the most interesting.

The twelfth part of the history is the most interesting.

The thirteenth part of the history is the most interesting.

The fourteenth part of the history is the most interesting.

The fifteenth part of the history is the most interesting.

The sixteenth part of the history is the most interesting.

The seventeenth part of the history is the most interesting.

Rules and Regulations

Title 32—NATIONAL DEFENSE

Chapter XVII—Office of Emergency Planning

PART 1710—FEDERAL DISASTER ASSISTANCE

Agreements

1. Section 1710.8 is amended by adding the following paragraphs:

(e) The following provisions shall be included in every Federal-State Disaster Assistance Agreement entered into:

In connection with the performance of work under this contract, the contractor agrees as follows:

(1) The contractor will not discriminate against any employee or applicant for employment because of race, creed, color, or national origin. The contractor will take affirmative action to ensure that applicants are employed, and that employees are treated during employment, without regard to their race, creed, color, or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The contractor agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the contracting officer setting forth the provisions of this nondiscrimination clause.

(2) The contractor will, in all solicitations or advertisements for employees placed by or on behalf of the contractor, state that all qualified applicants will receive consideration for employment without regard to race, creed, color, or national origin.

(3) The contractor will send to each labor union or representative of workers with which he has a collective bargaining agreement or other contract or understanding, a notice, to be provided by the agency contracting officer, advising the said labor union or workers' representative of the contractor's commitments under this section, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(4) The contractor will comply with all provisions of Executive Order No. 10925 of March 6, 1961, and of the rules, regulations, and relevant orders of the President's Committee on Equal Employment Opportunity created thereby.

(5) The contractor will furnish all information and reports required by Executive Order No. 10925 of March 6, 1961, and by the rules, regulations, and orders of the said Committee, or pursuant thereto, and will permit access to his books, records, and accounts by the contracting agency and the Committee for purposes of investigation to ascertain compliance with such rules, regulations, and orders.

(6) In the event of the contractor's non-compliance with the nondiscrimination clauses of this contract or with any of the said rules, regulations, or orders, this contract may be cancelled in whole or in part and the contractor may be declared ineligible for further government contracts in accordance with procedures authorized in Executive Order No. 10925 of March 6, 1961, and such other sanctions may be imposed and remedies invoked as provided in the said Executive order or by rule, regulation, or order of the President's Committee on Equal Em-

ployment Opportunity, or as otherwise provided by law.

(7) The contractor will include the provisions of the foregoing paragraphs (1) through (6) in every subcontract or purchase order unless exempted by rules, regulations, or orders of the President's Committee on Equal Employment Opportunity issued pursuant to section 303 of Executive Order No. 10925 of March 6, 1961, so that such provisions will be binding upon each subcontractor or vendor. The contractor will take such action with respect to any subcontract or purchase order as the contracting agency may direct as a means of enforcing such provisions, including sanctions for non-compliance: *Provided, however*, That in the event the contractor becomes involved in, or is threatened with, litigation with a subcontractor or vendor as a result of such direction by the contracting agency, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

(f) The following provision shall be included in every Federal-State Disaster Assistance Agreement entered into:

No member of or Delegate to Congress shall be admitted to any share or part of this agreement, or to any benefit to arise thereupon; *Provided, however*, this provision shall not be construed to extend to any contract made with a corporation for its general benefit.

2. This amendment shall be effective upon publication in the FEDERAL REGISTER.

Dated May 15, 1962.

EDWARD A. McDERMOTT,

Director,

Office of Emergency Planning.

[F.R. Doc. 62-4890; Filed, May 21, 1962; 8:45 a.m.]

Title 7—AGRICULTURE

Chapter III—Agricultural Research Service, Department of Agriculture

PART 318—TERRITORIAL QUARANTINE NOTICES

Subpart—Hawaiian Fruits and Vegetables

ADMINISTRATIVE INSTRUCTIONS APPROVING METHYL BROMIDE FUMIGATION AS A CONDITION FOR CERTIFICATION OF AVOCADOS FOR MOVEMENT FROM HAWAII

Pursuant to the authority conferred by § 318.13-4(b) of the regulations (7 CFR 318.13-4(b)) supplemental to the Hawaiian Fruits and Vegetables Quarantine (Notice of Quarantine No. 13, 7 CFR 318.13), under sections 8 and 9 of the Plant Quarantine Act of 1912, as amended (7 U.S.C. 161, 162), administrative instructions to be designated as 7 CFR 318.13-4e are hereby issued to read as follows:

§ 318.13-4e Administrative instructions approving methyl bromide fumigation as a condition for certification of avocados for movement from Hawaii.

The Director of the Plant Quarantine Division hereby approves methyl bromide

fumigation, applied in accordance with the provisions of this section, as a treatment for avocados from Hawaii. Avocados treated and handled as provided in this section may be certified for movement from Hawaii to other parts of the United States.

(a) *Approved fumigation.* (1) The approved fumigation shall consist of fumigation with methyl bromide at normal atmospheric pressure, in a fumigation chamber which has been approved for that purpose by the Plant Quarantine Division. The dosage shall be applied at the rate of 2 pounds per 1,000 cubic feet for 4 hours at 70° F. or above.

(2) Avocados to be fumigated must be arranged, in ventilated wooden boxes, not more than one layer deep and without packing material or wrappings. The fumigation chamber shall not be loaded to more than two-thirds of its capacity. The 4-hour exposure period shall begin when all the fumigant has been introduced into the chamber and volatilized. Good circulation above and below the load, and between individual containers, shall be provided as soon as the avocados are loaded in the chamber and shall continue during the full period of fumigation and until the avocados have been removed to a well-ventilated location.

(b) *Supervision of treatments and subsequent handling.* The treatment approved in this section and the subsequent handling of the avocados so treated must be under the supervision of a plant quarantine inspector of the Plant Quarantine Division. Such treated avocados must be safeguarded against reinfestation during the period prior to movement from Hawaii in a manner satisfactory to the inspector. Certification of avocados for such movement will be made only upon compliance with the prescribed treatment and posttreatment safeguards.

(c) *Costs.* All costs of the treatments and prescribed posttreatment safeguards provided for in this section, other than the services of the supervising inspector during regularly assigned hours of duty and at the usual place of duty, shall, as required by § 318.13-4(b), be borne by the owner of the avocados, or his representative.

(d) *Department not responsible for damage.* (1) This treatment is recognized as one which may be marginal as to varietal tolerance of avocados and the owner or shipper is warned of possible injury. The Department of Agriculture and its inspectors assume no responsibility for any loss or damage resulting from any treatment prescribed or supervised.

(2) In test fumigations no injuries were observed in the varieties of Kashlan, Kahuluu, and Lehua; some superficial discoloration, masked by ripening, in Haas, Ilialu, Kanola, Linda, Nutmeg, Sato, Tumin, and Yamagata; pitting and skin scald in Beardslee, Booth, Frowe, Nabal, Waldin, and Zutano; and internal

discoloration and decay lesions in Bacon, Fuerte, and Rincon varieties.

(Sec. 9, 37 Stat. 318; 7 U.S.C. 162; 19 F.R. 74, as amended, and 7 CFR 318.13-4(b); interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U.S.C. 161)

These administrative instructions shall become effective May 22, 1962.

Heretofore a quick-freezing treatment has been the only method available for treating avocados as a means of making them eligible for certification for interstate movement from Hawaii. Therefore, the provision in these instructions for a methyl bromide fumigation treatment as an alternate condition for certification is a lessening of restrictions. In order to be of maximum benefit to affected persons these instructions should be made effective as soon as possible.

Therefore, pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003), it is found upon good cause that notice and other public procedure with respect to these instructions are impracticable and they may be made effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 17th day of May 1962.

[SEAL]

E. P. REAGAN,
Director,
Plant Quarantine Division.

[F.R. Doc. 62-4917; Filed, May 21, 1962; 8:48 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

[Lemon Reg. 20, Amdt. 1]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

2. It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this regulation until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this

amendment relieves restriction on the handling of lemons grown in California and Arizona.

Order, as amended. The provisions in paragraph (b)(1)(ii) of § 910.320 (Lemon Regulation 20, 27 F.R. 4551) are hereby amended to read as follows:

(ii) District 2: 520,800 cartons.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Dated: May 17, 1962.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 62-4916; Filed, May 21, 1962; 8:48 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter II—Civil Aeronautics Board

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. No. ER-356]

PART 288—EXEMPTION OF AIR CARRIERS FOR SHORT NOTICE MILITARY CONTRACTS

Standard Mileage Rule

MAY 17, 1962.

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 17th day of May 1962.

Part 288 of the Board's Economic Regulations, 14 CFR Part 288, exempts air carriers, subject to certain conditions, limitations and requirements, from sections 401 and 403 of the Federal Aviation Act of 1958, to enable such carriers to perform charter services for the Military Air Transport Service (MATS) on short notice. Section 288.7 conditions the exemptions on a minimum reasonable level of compensation for such services and prescribes minimum charges per passenger-mile and per cargo ton-mile, the minimum amount of traffic on which these charges must be based, and the computation of mileages to which such charges apply. This section was amended, first to establish a new standard mileage rule, including a minimum mileage standard for transpacific service with no required intermediate stops (Amendment 1, § 288.7(d)); and second, to provide for reduced minimum charges, a new definition of "round-trip services," and to specify the minimum passenger and cargo loads for additional aircraft types (Amendment 2, § 288.7 (a), (b) and (c)).

Prior to the effective date of Amendment 2, the Board received from Slick Airways, Inc. (Slick) and The Flying Tiger Line Inc. (Tiger) petitions for reconsideration and motions for stay of the Amendment insofar as it established a reduced minimum charge of 21.5 cents per ton-mile for one-way cargo charters in § 288.7(a)(4). The Board, in Amendment 3 to Part 288, effective February 1, 1962, postponed the effective date of this provision insofar as it related to

transpacific operations. On February 2, 1962, subsequent to the effective date of Amendment 2, United States Overseas Airlines, Inc. (USOA) filed a petition for reconsideration of Amendment 2, and a motion for stay.¹ In Order E-18113, dated March 16, 1962, the Board denied USOA's motion for stay but stated that USOA's petition for reconsideration would be considered in conjunction with Slick's and Tiger's petitions.

Slick's petition, dated January 26, 1962, states that the 21.5-cent standard was established by the Board on the assumption that the carrier will get this amount for each mile actually flown; that actually under the mileage standard of Amendment 1 to Part 288 the carrier receives less (20.1 cents and 19.9 cents per ton-mile on certain illustrative routes); and that this constitutes an unreasonably low level of compensation. Slick seeks restoration of the former minimum charge of 22.5 cents.

Tiger's petition, dated January 29, 1962, also states that because of the standard mileage rule of Amendment 1 to Part 288, the actual revenue per aircraft-mile is less than the minimum fixed by the Board; that on trips to the Orient via Honolulu there is a differential between standard mileages and actual miles flown of 5 to 8 percent; that the Board's assumption of availability of backhaul charters, which underlies its 21.5-cent one-way rate, is erroneous; and that there is a differential in yield between the passenger minimum charges and the cargo minimum charges which is unreasonably unfavorable to cargo carriers. Tiger requests reconsideration of the 21.5-cent minimum one-way cargo rate.

USOA states in its petition, dated February 2, 1962, that under the standard mileage rule of Amendment 1 to Part 288 there are great differentials in transpacific service between mileage chargeable and mileage actually flown by carriers which do not have jet aircraft or the DC-7CF; that the reduced minimum charge of 2.75 cents per round-trip passenger revenue mile, introduced by Amendment 2, is marginal even if applied to the mileage actually flown, and results in serious losses under the standard mileage rule; that an identical situation exists in respect of cargo and convertible charters; and urges that the previous rate level should be reinstated.

The Board has also received, and considered in this context, a petition of World Airways, Inc., filed February 8, 1962, for clarification of the standard mileage rule, § 288.7(d), with respect to MATS loading and/or off-loading traffic at operational stops in the mid-Pacific where no intermediate stop is required by the contract; and a letter from MATS, dated March 5, 1962, requesting the Board to amend the standard mileage rule to authorize MATS to off-load and/or on-load traffic at enroute stops made by the carrier though not required under the contract, to the extent that it does not interfere with the carrier's scheduled ground operations.

¹ All these petitions were filed in Docket 13039.

The presently effective standard mileage rule provides that passenger-miles and cargo ton-miles shall be computed on the basis of the nonstop airport-to-airport distance in terms of statute miles from the point of origin to destination via such intermediate points as are required to be served by the terms of the MATS contract; provided that in trans-Pacific service, if no intermediate points are specified in the MATS contract, the miles shall be no less than as computed via Anchorage, Alaska or Honolulu, Hawaii, whichever provides the shorter distance. Thus a MATS "request for proposal" (RFP) setting forth a traffic requirement from Travis Air Force Base, California, to Bangkok, Thailand, via Clark Air Force Base (Manila, Philippines) as an intermediate point, would be subject to a rate-making distance of the Travis-Clark non-stop mileage (6,979) plus the Clark-Bangkok non-stop mileage (1,336) for a total distance of 8,315 miles. However, a traffic requirement from Travis to Bangkok not specifying intermediate points would have a rate base distance, constructed via Anchorage, of the following mileages: Travis-Anchorage 1,990 miles plus Anchorage-Bangkok—6,013 miles, a total of 8,003 miles. In neither case does the rule-make provision for the actual miles that must be flown in order for any aircraft to operate over this route. In both instances rate-making miles are substantially less than actual flight miles. A Travis-Bangkok flight operated via the north-Pacific would require flying at least 8,643 miles (via Anchorage-Tachikawa, Japan, and Clark) which is 328 or 640 miles farther than the above rate-making mileage, depending on whether a stop at Clark is specified in the award. These disparities between the rate-making and actual mileage would be increased by 480 miles if the flight were performed via the mid-Pacific route (Honolulu-Wake, and Clark). Flights operating to Japan may have as much as 23.4 percent difference between the rate-making mileage and the actual flight distance.²

Some of the transpacific nonstop distances being used regularly for computing minimum compensation in MATS transportation are beyond the effective range of even the most modern jet transports of today. At the present time only three aircraft types (CL-44, DC-7CF, B-707) have the operational capability of carrying passengers over the basic north-Pacific route (Travis-Anchorage-Tachikawa) without making operational stops.³ At this time it is the practice of MATS to schedule all passenger flights through the mid-Pacific via Honolulu. As late as January 1962, at least one carrier was carrying passengers over the northern route but this carrier since has abandoned this route for the more desirable mid-Pacific route because of schedule reliability and other operational factors.

With respect to cargo operations, two of the three cargo-carrying aircraft types (DC-7CF, L-1049H) are unable, except under very favorable conditions, to carry Board specified minimum loads or more of cargo nonstop from Anchorage to Japan.⁴ As a result, some carriers are forced to operate via a five-stop⁵ operation which is slightly longer than the Travis-Anchorage-Tachikawa route (the basic north-Pacific route), and other carriers operate the much longer mid-Pacific route.

In addition to the limitations on the operational capability of some of the aircraft used in MATS charter services which effectively preclude the operation of such aircraft via the basic north-Pacific route, that route itself presents operational difficulties which have discouraged some of the carriers from utilizing it even though the mid-Pacific route involves a substantially greater distance. Only two operators (Flying Tiger and Trans-International) are continuing to operate some of their cargo flights via the basic north-Pacific route.

On all flights via the northern route to points beyond Japan, a stop is necessary in Japan. Flights operating through the mid-Pacific are required to stop at Honolulu and Wake. Thus, trips to Japan via the mid-Pacific require one stop more than trips via the basic northern route. To points beyond Japan, a minimum of two stops (Anchorage and Tachikawa or Honolulu and Wake) is required regardless of the route flown, and irrespective of the load (passenger or cargo) carried. On flights scheduled to the southeast Asian points of Bangkok and Saigon (South Viet Nam), a stop at Clark is almost always included. Because of the geographical location of these two terminals with respect to Japan, it is evident that a nonstop route is very impractical and the routing via Clark is most desirable from an operational as well as a traffic point of view.

It is clear, therefore, that under the standard mileage rule of present § 288.7 (d) there are significant differences between miles actually flown and miles paid for on all transpacific trips where necessary operational stops are not also prescribed in the contract as traffic stops, except trips to Tachikawa in those instances where the basic northern route is actually flown. The absorption of these significant amounts of mileage circuitry results in many instances in an uneconomically low level of revenues.

While the petitioning carriers ask for relief by restoration of the one-way minimum charge per ton-mile as it existed before the promulgation of Amendment 2, they do not attempt to show that the charge is not reasonable on a worldwide basis but their factual allegations only relate to their transpacific operations and the absorption of circuitry permitted under the standard mileage rule prescribed for transpacific operations. It appears to the Board that the appropriate remedy is not to retain a minimum charge which in some instances makes it easier for carriers to absorb mileage,

since in instances where no such absorption is involved such charge would be unjustifiably high. Furthermore, the difference between 22.5 cents and 21.5 cents amounts to less than 5 percent and therefore is not commensurate with some of the instances of mileage absorption. It therefore appears to the Board that a revision of the standard mileage rule for Pacific operations rather than restoration of the 22.5-cent minimum charge is the most appropriate remedy. Similar considerations apply to the passenger round-trip charge.

The Board has therefore decided to modify the present standard mileage rule and in effect to establish dual standard mileages which will relate respectively to the north-Pacific and mid-Pacific routings. The north-Pacific standard mileages will apply in the case of services performed via a north-Pacific routing but will not apply to services performed via the mid-Pacific routing. The mid-Pacific standard mileage will apply to services performed via the basic mid-Pacific routing. Thus, a carrier may bid the basic north-Pacific route of Travis-Anchorage and Tachikawa and, under the rule adopted herein, such a carrier would be permitted to operate, for example, via Travis-Seattle-Cold Bay-Adak-Misawa and Tachikawa, but it may not operate via the mid-Pacific routing, except under the following circumstances:

The Board is aware that from time to time safety factors which were not foreseen at the time the carrier's proposal was made and at the time MATS awarded the contract (such as adverse weather conditions) may require that a flight scheduled to be operated via the north-Pacific be diverted to a mid-Pacific routing. In such cases, the rule will allow such deviation provided that the carrier files with the Board a report explaining the deviation. Absence of capability of the carrier's aircraft to fly the nonstop distances involved in operating along the northern route is not a factor which justifies deviation even though it may be due to weather conditions unless the aircraft is capable of operating such route under the weather conditions normally prevalent. Flights involving deviation from the northern to mid-Pacific route in circumstances other than those specified in the new rule are not covered by the exemptions granted in this Part.

The Board is also of the view that MATS should be permitted to on-load and/or off-load traffic (passenger or cargo) at any stop made by the carrier for its own convenience, without paying for any extra mileage. Reliance is placed on the representation by MATS that it "does not desire this authority in order to develop schedules for known requirements but * * * merely to provide the opportunity to take advantage of this additional flexibility which is available." A new paragraph (e) to § 288.7 will be added which specifically authorizes air carriers to provide such service at the request of MATS. Of course, in any case where on-loading traffic under this provision results in a load on board over any flight stage in excess of the load paid for pursuant to the underlying con-

² Travis - Anchorage - Tachikawa — 5,469 miles. Travis-Honolulu-Wake-Tachikawa—6,747 miles.

³ The L-1049H aircraft, which carries important volumes of passengers across the Pacific, the DC-7 and the DC-6A aircraft do not have such capability.

⁴ The CL-44 does have the capability.

⁵ Typical route pattern: Travis-Seattle-Cold Bay-Adak-Misawa-Tachikawa.

tract, the carrier must receive payment for carrying such excess over the mileage actually flown. Where cabin-load remains at or below the minimum specified in § 288.7(b) after such on-loading, no additional compensation would be due.

The amendment to the standard mileage rule coupled with the amendment permitting MATS to on-load and/or off-load traffic at intermediate points is, in the Board's opinion, a fair and equitable solution to the unique problems presented by transpacific MATS contract operations. As a result of the amendments adopted herein, MATS will have flexibility to set up charter flights to be performed by the civil carriers to meet its needs. At the same time air carriers will not absorb undue mileage circuitry. The Board is aware that carriers without aircraft having certain capability may be eliminated from effectively bidding for traffic via certain routes. However, the Board is of the opinion that the present situation which entails substantial mileage absorption by most of the carriers performing transpacific MATS charters is so undesirable from the standpoint of the industry as a whole as to override such considerations.

The Board recognizes that in the transpacific operations carriers may not be able to operate back-haul charters in the same amount as such charters may be generated in transatlantic operations. On the other hand, this factor is offset by somewhat lower overall operating costs in Pacific operations. A carrier which performs a one-way cargo charter for MATS does not always have to fly an identical number of ferry miles when back-haul revenues cannot be generated, although under the minimum charges the "ferry factor" in the one-way charge applies to each live mile. For example, a combination of one-way operations may minimize the ferry flights required, or ferry flights may sometimes be performed via shorter routings than the outbound revenue flight. The minimum charges for MATS charters are the same under this Part as they are for flights which do not require exemption authority by certificated carriers having greater opportunity for generating revenues for back-haul, a factor which therefore is pertinent to the determination of the minimum charge which is fair to MATS.

Arrangements are underway with respect to the procurement of civil airlift for fiscal year 1963 and the early resolution of these matters is desirable in order that the firm prices will be known. Hence, the public interest requires that these amendments be made effective at the earliest possible time. The Board therefore finds that good cause exists for making these amendments effective without further notice and public procedure thereon. On the other hand, both MATS and the carriers should be given time to adapt their procedures to the changes which this amendment makes in the standard mileage rule applicable to the Pacific theatre. The Board therefore has decided to make this amendment effective as of July 1, 1962.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 288 of the Economic Regulations (14 CFR Part 288) effective July 1, 1962, by:

1. Amending paragraph (d) of § 288.7 to read:

(d) *Computation of passenger-miles and cargo ton-miles*—(1) *General rule.* For the purpose of this section, the computation of passenger-miles and cargo ton-miles shall be based on no lesser mileage than the nonstop airport-to-airport distance, in terms of statute miles from the point of origin of the revenue flight to the point of destination of such flight, via such intermediate points as are required to be served by the terms of the MATS contract.

(2) *Transpacific services.* In the case of transpacific services between the 48 contiguous states and points beyond Alaska or Hawaii, the general rule shall not apply but the mileage shall be computed as prescribed in Schedule A incorporated in this paragraph and attached hereto: *Provided*, That where the computation of the mileage is based on routings (2), (4) or (5), respectively, of the Schedule, the carrier may actually fly via Honolulu and/or Wake and/or Guam only if:

(i) Such actual flight routing is due solely to safety considerations other than aircraft capability, unforeseen at the time of submission of the bid, and

(ii) Military requirements prevent delay of such flight, and

(iii) A report of such flight is filed pursuant to § 288.8(c).

(3) *Transatlantic services.* In the case of transatlantic services, when the nonstop airport-to-airport distance between origin and destination of the flight is 4,000 miles or more and no intermediate points are specified by the terms of the MATS contract, the mileage shall be no less than as computed via Shannon, Ireland, or via Lajes/Santa Maria, Azores, whichever routing yields a lower mileage.

2. Adding a new paragraph (e) to § 288.7 to read:

(e) *On-loading and off-loading of traffic.* It shall not be deemed a violation of the provisions of this section for an air carrier operating a charter flight to permit MATS to on-load and/or off-load traffic (passenger or cargo) at any operational stops enroute made for the carrier's convenience, to the extent that it does not interfere with the carrier's scheduled ground operation: *Provided*, That the carrier receives minimum compensation consistent with the provisions of this section for resulting load carried on any flight stage which is in excess of the load paid for under the contract.

3. Adding a new paragraph (c) to § 288.8 to read:

(c) *Deviation report.* When an air carrier has made a bid for a transpacific flight in which the mileage factor was determined on the basis of a north-Pacific routing, and such carrier operates such flight via a mid-Pacific routing, it shall, within ten (10) days from the date of such flight, submit a report on such flight in duplicate to the Board, addressed to the attention of the Chief, Rates Division, Bureau of Economic Regulation, stating the reason for such deviation, the routing and mileage underlying the bid, the aircraft used, the routing and mileage actually flown, the traffic carried, and the compensation actually received.

4. Simultaneously making effective § 288.7(a)(4) as amended by ER-347, Amendment 2 of Part 288, 27 F.R. 689, insofar as its effective date had been postponed by ER-349, Amendment 3 of Part 288, 27 F.R. 972.

(Secs. 204(a), and 416 of the Federal Aviation Act of 1958; 72 Stat. 743, 771; 49 U.S.C. 1324, 1386)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

TRANSPACIFIC ROUTINGS

Between—	And—									
	Thailand	South Viet Nam	Philippine Islands	Guam	Wake	Hawaii	Formosa	Okinawa	Japan	Alaska
U.S. West Coast ¹	8 or 5	8 or 5	7 or 4	7	6	1	14 or 4	7 or 4	7 or 2	1
Alaska.....	15	15	3				3	3	1	
Japan.....	12	12	1	1	1	9	1	1		
Okinawa.....	12	12	1	1	1	9	1			
Formosa.....	12	12	1	1	11	10				
Hawaii.....	13	13	9	9	1					
Wake.....	12	12	1	1						
Guam.....	12	12	1							
Philippine Islands.....	1	1								
South Viet Nam.....	1									

Routings

1. Direct.
2. Via Anchorage.
3. Via Tachikawa.
4. Via Anchorage—Tachikawa.
5. Via Anchorage—Tachikawa—Clark.
6. Via Honolulu.
7. Via Honolulu—Wake.
8. Via Honolulu—Wake—Clark.
9. Via Wake.
10. Via Wake—Guam.
11. Via Guam.
12. Via Clark.
13. Via Wake—Clark.
14. Via Honolulu—Wake—Guam.
15. Via Tachikawa—Clark.

¹ Any place in the States of California, Oregon, or Washington.

Chapter III—Federal Aviation Agency**SUBCHAPTER E—AIR NAVIGATION
REGULATIONS**

[Airspace Docket No. 61-LA-68]

**PART 600—DESIGNATION OF
FEDERAL AIRWAYS****Alteration**

On February 9, 1962, a notice of proposed rule making was published in the FEDERAL REGISTER (27 F.R. 1220) stating that the Federal Aviation Agency proposed the designation of a south alternate to low altitude VOR Federal airway No. 4 from Malad City, Idaho, to Rock Springs, Wyo.

No adverse comments were received regarding the proposed amendment.

Interested persons have been afforded an opportunity to participate in the making of the rule herein adopted, and due consideration has been given to all relevant matter presented.

The substance of the proposed amendment having been published, therefore, pursuant to the authority delegated to me by the Administrator (25 F.R. 12582) and for the reasons stated in the notice, § 600.6004 is amended as follows:

In the text "Rock Springs, Wyo., omnirange station;" is deleted and "Rock Springs, Wyo., VORTAC, including a south alternate via the Fort Bridger, Wyo., VOR," is substituted therefor.

This amendment shall become effective 0001 e.s.t. July 26, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 16, 1962.

LEE E. WARREN,
*Acting Director,
Air Traffic Service.*

[F.R. Doc. 62-4896; Filed, May 21, 1962;
8:45 a.m.]

[Airspace Docket No. 62-WA-44]

**PART 601—DESIGNATION OF CON-
TROLLED AIRSPACE, REPORTING
POINTS, POSITIVE CONTROL ROUTE
SEGMENTS, AND POSITIVE CON-
TROL AREAS****Alteration of Control Zone**

The purpose of this amendment to § 601.2028 of the regulations of the Administrator is to alter the El Paso, Tex., control zone.

The El Paso control zone is designated, in part, on the El Paso radio range. The Federal Aviation Agency is converting this facility to a radio beacon on or about May 7, 1962. Therefore, action is taken herein to substitute the El Paso radio beacon for the radio range in the description of the El Paso control zone.

Since this amendment is editorial in nature, and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and it may be made effective immediately.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), § 601.2028 is amended to read:

No. 99—2

§ 601.2028 El Paso, Tex., control zone.

Within a 5-mile radius of the El Paso International Airport (latitude 31°48'40" N., longitude 106°23'10" W.), El Paso, Tex.; within 2 miles either side of the 090° bearing from the El Paso RBN extending from the 5-mile radius zone to the Rio, Tex., RBN; within 2 miles either side of the 010° bearing from the El Paso RBN extending from the 5-mile radius zone to the Newman, Tex., VOR, and within 2 miles either side of a direct line from Biggs AFB (latitude 31°51'00" N., longitude 106°22'45" W.) extending from the 5-mile radius zone to the Newman VOR, excluding the portion outside the United States.

This amendment shall become effective upon the date of publication in the FEDERAL REGISTER.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 16, 1962.

LEE E. WARREN,
*Acting Director,
Air Traffic Service.*

[F.R. Doc. 62-4893; Filed, May 21, 1962;
8:45 a.m.]

[Airspace Docket No. 62-WA-56]

**PART 601—DESIGNATION OF CON-
TROLLED AIRSPACE, REPORTING
POINTS, POSITIVE CONTROL ROUTE
SEGMENTS, AND POSITIVE CON-
TROL AREAS****Alteration of Control Zone**

The purpose of this amendment to § 601.2043 of the regulations of the Administrator is to alter the Casper, Wyo., control zone.

The Casper control zone is presently designated, in part, with reference to the Casper radio range. This facility is being converted to a radio beacon with transcribed weather broadcast facilities, and the prescribed instrument approach procedure based on the radio range is being converted to an ADF approach procedure concurrently with the facility conversion. Accordingly, the control zone extension based on the west course and the portion of the east extension which extends beyond the radio beacon are no longer required for air traffic control purposes and will be revoked. Therefore, action is taken herein to reflect these changes in the description of the Casper control zone.

Since the size of the present control zone is being reduced and the change effected by this amendment is less restrictive in nature than the present requirements, and imposes no additional burden on any person, notice and public procedure thereon are unnecessary. However, since it is necessary that sufficient time be allowed to permit appropriate changes to be made on aeronautical charts, this amendment will become effective more than 30 days after publication.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582),

§ 601.2043 (14 CFR 601.2043) is amended to read:

§ 601.2043 Casper, Wyo., control zone.

Within a 5-mile radius of the Casper Air Terminal (latitude 42°54'30" N., longitude 106°27'25" W.); and within 2 miles either side of the Casper ILS localizer E course extending from the 5-mile radius zone to the RBN.

This amendment shall become effective 0001, e.s.t., August 23, 1962.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 16, 1962.

LEE E. WARREN,
*Acting Director,
Air Traffic Service.*

[F.R. Doc. 62-4894; Filed, May 21, 1962;
8:45 a.m.]

[Airspace Docket No. 62-WA-45]

**PART 601—DESIGNATION OF CON-
TROLLED AIRSPACE, REPORTING
POINTS, POSITIVE CONTROL ROUTE
SEGMENTS, AND POSITIVE CON-
TROL AREAS****Alteration of Control Zone and
Control Area Extension**

The purpose of these amendments to §§ 601.2039 and 601.1241 of the regulations of the Administrator is to alter the descriptions of the Tulsa, Okla., control zone and the Tulsa control area extension.

The Tulsa control zone is designated, in part, on the Tulsa radio range. The Federal Aviation Agency is converting this facility to a radio beacon on or about May 14, 1962. Therefore, action is taken herein to substitute the Tulsa radio beacon for the Tulsa radio range in the description of the Tulsa control zone.

The Tulsa control area extension is designated, in part, on the Tulsa radio range. Since low frequency navigational aids are undergoing a period of change, involving decommissioning or alteration, it is preferable that the Tulsa control area extension be designated on a location other than a low frequency aid. Therefore, action is taken herein to designate this control area extension, in part, on latitude 36°12'55" N., longitude 95°51'31" W.

Since these amendments are editorial in nature, and impose no additional burden on any person, notice and public procedure hereon are unnecessary and it may be made effective immediately.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 12582), the following actions are taken:

§ 601.2039 [Amendment]

1. In the text of § 601.2039 (14 CFR 601.2039) "within 2 miles either side of the NE course of the Tulsa RR, extending from the 5-mile radius zone to 12 miles NE of the RR," is deleted and "within 2 miles either side of the 061° bearing from the Tulsa, Okla., RBN extending from the 5-mile radius zone to 12 miles NE of the RBN;" is substituted therefor.

2. Section 601.1241 (14 CFR 601.1241) is amended to read:

§ 601.1241 Control area extension (Tulsa, Okla.).

Within a 25-mile radius at latitude 36°12'55" N., longitude 95°51'31" W.; that airspace SW of Tulsa, Okla., bounded on the NW by VOR Federal airway No. 14, on the SE by VOR Federal airway No. 15 and on the SW by VOR Federal airway No. 163; that airspace S of Tulsa bounded on the W and NW by VOR Federal airway No. 15, on the E and SE by lines 5 miles E of and parallel to the McAlester, Okla., VORTAC 008° radial extending from the S boundary of VOR Federal airway No. 74 to the McAlester VORTAC, on the E and SE by a line 5 miles E of and parallel to a direct line extending between the McAlester VORTAC and the Dallas, Tex., Perrin AFB control area extension.

These amendments shall become effective upon the date of publication in the FEDERAL REGISTER.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on May 16, 1962.

LEE E. WARREN,
Acting Director,
Air Traffic Service.

[F.R. Doc. 62-4895; Filed, May 21, 1962; 8:45 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter III—Coast and Geodetic Survey, Department of Commerce

PART 303—CHARGES FOR CERTIFYING, SEARCHING, AND COPYING SERVICES

Copies of Geodetic Control Data

Insofar as the Administrative Procedures Act may be applicable: Because of the nature of this notice, I find, for good cause shown, that it would be impracticable and unnecessary, and no good reason would be served to give preliminary notice, engage in public rule-making procedure, or postpone the effective date thereof.

Section 303.6, Part 303 of Chapter III, Title 33, is revised as follows:

§ 303.6 Copies of geodetic control data.

Charges for copies of geodetic control data:

	Each
Diagrams (regardless of size or area covered).....	\$0.50
Data sheets, 4 types as follows.....	.06
Geographic position sheets.	
Plane coordinate sheets.	
Quadrangle format by sheets (furnished only in unassembled sheets when request is for a few stations by name or station number or when sent, as supplements, to subscribers to automatic mailing service).	
Unadjusted data sheets.	

Booklets (assembled data)—5 types as follows:

Vertical control (State numbered lines).
Horizontal control description booklets.
Quadrangles (horizontal control).
Quadrangles (vertical control).
CWA (C&GS and State Survey data available for limited areas on specific request).

	Per booklet
3 sheets or less.....	\$0.06
4 to 15 sheets.....	.25
16 to 32 sheets.....	1.00
33 to 50 sheets.....	2.00
51 or more sheets.....	3.00

Complete data coverage by States (prices do not include diagrams or new unpublished data):

State	Horizontal Control	Vertical Control
Alabama.....	\$25.00	\$30.00
Alaska.....	(2)	5.00
Arizona.....	50.00	18.00
Arkansas.....	(1)	16.00
California.....	196.00	218.00
Colorado.....	(1)	21.00
Connecticut.....	27.00	2.00
Delaware.....	10.00	2.00
District of Columbia.....	9.00	1.00
Florida.....	93.00	24.00
Georgia.....	30.00	30.00
Hawaii.....	12.00	.50
Idaho.....	40.00	28.00
Illinois.....	2 63.00	2 28.00
Indiana.....	2 77.00	2 39.00
Iowa.....	(1)	(1)
Kansas.....	(1)	13.00
Kentucky.....	2 58.00	2 37.00
Louisiana.....	46.00	16.00
Maine.....	48.00	8.00
Maryland.....	70.00	13.00
Massachusetts.....	73.00	3.00
Michigan.....	2 42.00	(1)
Minnesota.....	(1)	(1)
Mississippi.....	41.00	16.00
Missouri.....	(1)	(1)
Montana.....	2 22.00	(1)
Nebraska.....	(1)	22.00
Nevada.....	50.00	20.00
New Hampshire.....	13.00	3.00
New Jersey.....	53.00	6.00
New Mexico.....	(1)	15.00
New York.....	99.00	21.00
North Carolina.....	64.00	6.00
North Dakota.....	2 32.00	(1)
Ohio.....	2 39.00	2 42.00
Oklahoma.....	(1)	9.00
Oregon.....	100.00	21.00
Pennsylvania.....	49.00	22.00
Puerto Rico.....	16.00	(1)
Rhode Island.....	14.00	1.00
South Carolina.....	31.00	12.00
South Dakota.....	(1)	(1)
Tennessee.....	2 50.00	(1)
Texas.....	136.00	82.00
Utah.....	(1)	9.00
Vermont.....	9.00	2.00
Virginia.....	88.00	32.00
Washington.....	156.00	24.00
West Virginia.....	12.00	(1)
Wisconsin.....	(1)	(1)
Wyoming.....	(1)	13.00

¹ Current price will be furnished upon request. Data are being converted to quadrangle units which are sold at the booklet rates listed above. Limiting purchases of data in the old format to immediate requirements is suggested, to minimize duplication when purchasing data in the new quadrangle format.

² Conversion of data to quadrangle units is complete.

³ Unclassified horizontal control data for Alaska are available as follows:

1° x 1° quadrangles, sold at the booklet rates listed above. These supply all data, except descriptions and azimuths and distances, for which volume and page references are included.

Description booklets, sold at the booklet rates listed above.

Old format Geographic Position sheets (including azimuths and distances), ea. \$0.06.

Unadjusted data sheets, ea. \$0.06.

⁴ No control.

Minimum charges:
Minimum charge per order, except automatic mailing list shipments.....\$1.00
Automatic Mailing List—special service charge per shipment (additional to the subscription price)......25

Special subscription service:

Special subscriptions to an automatic mailing service for new and revised data are available. Details concerning this service are available on request.

The above prices are effective May 7, 1962.

[SEAL] H. ARNOLD KARO,
Rear Admiral, United States Coast
and Geodetic Survey, Director.

[F.R. Doc. 62-4888; Filed, May 21, 1962; 8:45 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER B—CARRIERS BY MOTOR VEHICLE

[No. MC-C-2; Ex Parte No. MC-37]

PART 170—COMMERCIAL ZONES

New York, N.Y., Commercial Zone

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 9th day of May A.D. 1962.

The Commission on its own motion having further considered the record in the above-entitled proceedings, and it appearing that the second ordering paragraph of the order of the Commission, entered November 17, 1961, re-describing the limits of the New York, N.Y., Commercial Zone, does not take account of an earlier redescription of such limits by the order of Division 1, entered in these proceedings April 28, 1961, and which became effective February 19, 1962, and good cause appearing therefor:

It is ordered, That § 170.1 as prescribed in the orders entered in these proceedings on April 28, 1961, and November 17, 1961 (49 CFR 170.1) be, and they are hereby, vacated and set aside, and the following hereby substituted in lieu thereof:

§ 170.1 New York, N.Y.

(a) The application of § 170.16 Commercial zones determined generally, with exceptions, is hereby extended to New York, N.Y.

(b) The exemption provided by section 203(b) (8) the Interstate Commerce Act, of transportation by motor vehicle in interstate or foreign commerce, performed wholly within the zone the limits of which are defined in paragraph (a) of this section, is hereby removed as to all such transportation except (1) transportation which is performed wholly within the following territory: The area within the corporate limits of the cities of New York, Yonkers, Mount Vernon, North Pelham, Pelham, Pelham Manor, Great Neck Estates, Floral Park, and Valley Stream, N.Y., and Englewood, N.J.; the area within the borough limits of Alpine, Tenafly, Englewood Cliffs, Leonia, Fort Lee, Edgewater, Cliffside Park, Fairview, Palisades Park, and Ridgefield Boroughs, Bergen County, N.J.; and that part of Hudson County, N.J., east of Newark Bay and the Hackensack River; (2) transportation which is performed in respect of a shipment which has had a prior, or will have a subsequent, movement by water car-

rier, and which is performed wholly between points named in subparagraph (1) of this paragraph on the one hand, and, on the other, those points in Newark and Elizabeth, N.J., identified as follows: All points in that area within the corporate limits of the cities of Newark and Elizabeth, N.J., west of Newark Bay and bounded on the south by the Main Line of The Central Railroad Company of New Jersey, on the west by the Newark & Elizabeth Branch of The Central Railroad Company of New Jersey, and on the north by the property of The Pennsylvania Railroad Company; and (3) transportation which is performed in respect of a shipment which has had a prior, or will have a subsequent, movement by rail carrier, and which is performed wholly between points named in subparagraph (1) of this paragraph on the one hand, and, on the other, points in Kearny, N.J., within an area bounded on the north by the

main line of the Jersey City Branch of The Pennsylvania Railroad Company, on the south and east by Fish House Road and Pennsylvania Avenue, and on the west by the property line of The Pennsylvania Railroad TrucTrain Terminal.

(49 Stat. 546, as amended; 49 U.S.C. 304. Interprets or applies 49 Stat. 543, as amended, 544, as amended; 49 U.S.C. 302, 303)

Upon further consideration of the record in the above-entitled proceedings, and of:

1. Joint petition of Middle Atlantic Conference and American Trucking Associations, Inc., filed January 3, 1962, for reconsideration or further hearing;

2. Reply by The Pennsylvania Railroad Company, filed January 23, 1962;

and good cause appearing therefor:

It is ordered, That the said petition be, and it is hereby, denied, for the reason that the findings of the Commission, as modified herein, are in accordance with the evidence and the applicable law, and

no sufficient cause appears for reopening the proceedings for reconsideration or further hearing;

It is further ordered, That the effective date of order entered in this proceeding on November 17, 1961, which order is modified by the first ordering paragraph hereof be, and it is hereby, fixed as June 22, 1962, and the said order of November 17, 1961, as modified, shall continue in effect until the further order of the Commission;

And it is further ordered, That notice of this order be given to the general public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the FEDERAL REGISTER.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-4909; Filed, May 21, 1962;
8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[7 CFR Part 1065]

[Docket No. AO-86-A13]

MILK IN NEBRASKA-WESTERN IOWA MARKETING AREA

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of a public hearing to be held at the Town House, 7000 Dodge Street, Omaha, Nebraska, beginning at 9:30 a.m., on June 6, 1962, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Nebraska-Western Iowa marketing area.

The public hearing is for the purpose of receiving evidence with respect to the economic and emergency marketing conditions which relate to the proposed amendments, hereinafter set forth, and any appropriate modifications thereof, to the tentative marketing agreement and to the order.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by the Beatrice Foods Company and Fairmont Foods Company:

Proposal No. 1. Amend § 1065.16 to read as follows:

§ 1065.16 Fluid milk product.

Fluid milk product means milk, skim milk, buttermilk, yogurt, milk drinks (plain or flavored), concentrated milk (frozen or fresh), cream, cultured sour cream or any mixture in fluid form of skim milk and cream (except frozen cream, aerated cream products, ice cream mix, frozen dessert mixes, egg nog, evaporated or condensed milk and sterilized products packaged in hermetically sealed containers).

Proposed by the Milk Marketing Orders Division, Agricultural Stabilization and Conservation Service:

Proposal No. 2. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, 3801 Harney Street, Omaha 31, Nebraska, or from the

Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D.C., or may be there inspected.

Signed at Washington, D.C., on May 16, 1962.

ROBERT G. LEWIS,
Deputy Administrator, Price and Production, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 62-4911; Filed, May 21, 1962; 8:47 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 601]

[Airspace Docket No. 62-SW-12]

TRANSITION AREA

Proposed Designation

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency (FAA) is considering an amendment to Part 601 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration the designation of a transition area at Borger, Tex. The proposed Borger transition area would be designated to extend upward from 7,000 feet MSL within 12 miles northwest and 8 miles southeast of the Amarillo VORTAC 038° True radial extending from 24 miles northeast to 56 miles northeast of the VORTAC. This would provide protection for aircraft in holding patterns at the Borger Intersection (intersection of the Amarillo VORTAC 038° and the Dalhart VORTAC 112° True radials).

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Assistant Administrator, Southwest Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The pro-

posal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room C-226, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on May 15, 1962.

CLIFFORD P. BURTON,
Chief, Airspace Utilization Division.

[F.R. Doc. 62-4892; Filed, May 21, 1962; 8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 798) has been filed by American Cyanamid Company, Post Office Box 400, Princeton, New Jersey, proposing to amend § 121.228 *Malathion* to establish a tolerance of 10 parts per million (0.001 percent) for residues of malathion in or on animal feed concentrate blocks, when present as a result of contact with malathion-treated paper.

Dated: May 15, 1962.

J. K. KIRK,
Assistant Commissioner of Food and Drugs.

[F.R. Doc. 62-4903; Filed, May 21, 1962; 8:46 a.m.]

[21 CFR Part 121]

FOOD ADDITIVES

Notice of Filing of Petition

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 733) has been filed by Neville Chemical Company, Neville Island, Pittsburgh 25, Pennsylvania, proposing the amendment of paragraph (c)(5) of § 121.2520 *Adhesives* by changing the

item "Petroleum aliphatic hydrocarbon resin (produced by * * *) to read "Petroleum hydrocarbon resin (produced by the homo- and copolymerization of dienes and olefins of the aliphatic, alicyclic, and mono-benzenoid arylalkene types from distillates of cracked petroleum stocks)."

Dated: May 16, 1962.

J. K. KIRK,
Assistant Commissioner
of Food and Drugs.

[F.R. Doc. 62-4913; Filed, May 21, 1962;
8:47 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Geological Survey

REGIONAL OIL AND GAS SUPERVISOR, SOUTHWESTERN REGION

Delegation of Authority With Respect to Drilling of Wells

MAY 4, 1962.

Delegation of authority with respect to drilling of wells in the Potash Area, Lea and Eddy Counties, New Mexico.

The Regional Oil and Gas Supervisor, Southwestern Region, is hereby authorized to act on applications to drill oil or gas wells, submitted pursuant to paragraph 1(e)(i) of Secretary's Order of October 16, 1951, published in the FEDERAL REGISTER of October 18, 1951 (16 F.R. 10669).

Approved: May 10, 1962.

ARTHUR A. BAKER,
*Acting Director,
Geological Survey.*

[F.R. Doc. 62-4904; Filed, May 21, 1962;
8:47 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

[Dep. Order No. 128 (Revised); Amendment No. 2]

UNDER SECRETARY OF COMMERCE FOR TRANSPORTATION

Office of Emergency Transportation

The following amendment to the order was issued by the Secretary of Commerce on May 8, 1962. The material appearing at 27 F.R. 987 of February 2, 1962 and 27 F.R. 3411-3412 of April 10, 1962, is further amended as follows:

Department Order No. 128 (Revised) of January 19, 1962, is amended by adding a new section 6 to read as follows:

SEC. 6. *Office of Emergency Transportation.*

.01 The Office of Emergency Transportation is hereby established as a constituent unit in the Office of the Under Secretary of Commerce for Transportation.

.02 The Office shall be headed by a Director who shall report and be responsible to the Under Secretary of Commerce for Transportation and shall be assisted by such staff as may be required to perform the functions set forth herein.

.03 The Office of Emergency Transportation shall consist of the following organization units:

- 1 Office of the Director,
Director,
Deputy Director.
- 2 Assistant Director for Operating Resources.

4814

3 Assistant Director for Capabilities and Damage Assessment.

4 Assistant Director for Requirements and Allocations.

5 Assistant Director for Priorities and Control Procedures.

.04 The Director, Office of Emergency Transportation shall assist the Under Secretary of Commerce for Transportation in carrying out his assigned responsibilities under the provisions of Executive Order 10999 of February 16, 1962, relating to the emergency transportation planning and coordination functions, more specifically set forth in Section 3.02 of this order.

Change current section 6 of the order to read section 7.

Effective date: May 8, 1962.

JOHN PRINCE,
*Deputy Assistant Secretary
for Administration.*

[F.R. Doc. 62-4889; Filed, May 21, 1962;
8:45 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

BRAZIL

Notice of Finding Regarding Foreign Social Insurance and Pension System

Section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)) authorizes and requires the Secretary of Health, Education, and Welfare to find whether a foreign country has in effect a social insurance or pension system which is of general application in such country and under which periodic benefits, or the actuarial equivalent thereof, are paid on account of old age, retirement, or death; and whether individuals who are citizens of the United States but not citizens of such foreign country and who qualify for such benefits are permitted to receive such benefits or the actuarial equivalent thereof while outside such foreign country without regard to the duration of the absence.

Pursuant to authority duly vested in him by the Secretary of Health, Education, and Welfare, the Commissioner of Social Security has considered evidence relating to the social insurance or pension system of Brazil, from which evidence it appears that Brazil has a social insurance or pension system of general application which pays periodic benefits on account of old age, retirement, or death, and under which citizens of the United States, not citizens of Brazil, who leave Brazil, are permitted to receive benefits or their equivalent while outside that country.

Accordingly, it is hereby determined and found that Brazil has in effect a social insurance or pension system which meets the requirements of section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)).

[SEAL] ROBERT M. BALL,
Commissioner of Social Security.

Approved: May 16, 1962.

IVAN A. NESTINGEN,
Acting Secretary of Health, Education, and Welfare.

[F.R. Doc. 62-4914; Filed, May 21, 1962;
8:47 a.m.]

IVORY COAST

Notice of Finding Regarding Foreign Social Insurance and Pension System

Section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)) authorizes and requires the Secretary of Health, Education, and Welfare to find whether a foreign country has in effect a social insurance or pension system which is of general application in such country and under which periodic benefits, or the actuarial equivalent thereof, are paid on account of old age, retirement, or death; and whether individuals who are citizens of the United States but not citizens of such foreign country and who qualify for such benefits are permitted to receive such benefits or the actuarial equivalent thereof while outside such foreign country without regard to the duration of the absence.

Pursuant to authority duly vested in him by the Secretary of Health, Education, and Welfare, the Commissioner of Social Security has considered evidence relating to the social insurance or pension system of the Ivory Coast, from which evidence it appears that the Ivory Coast has a social insurance or pension system of general application which pays periodic benefits on account of old age, retirement, or death, and under which citizens of the United States, not citizens of the Ivory Coast, who leave the Ivory Coast, are permitted to receive benefits or their equivalent while outside that country.

Accordingly, it is hereby determined and found that the Ivory Coast has in effect a social insurance or pension system which meets the requirements of section 202(t)(2) of the Social Security Act (42 U.S.C. 402(t)(2)).

[SEAL] ROBERT M. BALL,
Commissioner of Social Security.

Approved: May 16, 1962.

IVAN A. NESTINGEN,
*Acting Secretary of Health,
Education, and Welfare.*

[F.R. Doc. 62-4915; Filed, May 21, 1962;
8:48 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 5132 etc.; Order No. E-18342]

UNITED STATES OVERSEAS AIRLINES, INC., AND LARGE IRREGULAR AIR CARRIER INVESTIGATION

Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 17th day of May 1962.

In the matter of the Large Irregular Air Carrier Investigation, Docket No. 5132 etc., and in the matter of the application of United States Overseas Airlines, Inc., Docket No. 12079, for renewal of its temporary certificate of public convenience and necessity authorizing supplemental air services.

Pursuant to Order E-13436, adopted January 28, 1959, the Board awarded United States Overseas Airlines, Inc. (USOA) a temporary certificate of public convenience and necessity for supplemental air service between any point in any State of the United States, or in the District of Columbia, and any other point in any State of the United States or in the District of Columbia, with respect to persons and property. This certificate became effective on March 30, 1959, and by its terms was to expire on March 30, 1961.¹

On January 26, 1961, USOA filed the subject application for renewal of its temporary certificate.²

Upon the basis of the carrier's records filed with the Board and upon information now available to the Board, we tentatively conclude that USOA is not fit, willing or able to perform properly the services authorized by its temporary certificate, and to conform to the provisions of the Act and the rules, regulations and requirements of the Board thereunder, and that its application for renewal should accordingly be denied.

The Board, by Order E-13436, supra, found that certain applicants were qualified to receive certificates of five years' duration, and that certain others, of which USOA was one, whose qualifications were found to be less acceptable than those of the first group, should receive certificates of a lesser duration (viz., two years).³ The Board declined to certificate USOA for a five-year term because "of its overall compliance record."⁴

Over three years have elapsed since USOA received its certificate, and it appears that during this period, the carrier's fitness, as shown by its willingness and/or ability to comply with the Act, has not improved. To the contrary, the data presently available to the Board strongly suggest that the carrier's willingness and ability to comply with the Act and the Board's rules and regulations

promulgated pursuant thereto has deteriorated to a marked extent.

By Order E-9643,⁵ the Board directed USOA "to cease and desist from charging, demanding, collecting or receiving a greater or lesser or different compensation for air transportation, or for any service in connection therewith, than the rates, fares and charges specified in its currently effective tariffs for the air transportation of persons or property." Notwithstanding such order, the carrier appears to have on numerous occasions deviated from its effective tariffs, a violation of section 403(b) of the Act, Part 221 of the Board's Economic Regulations,⁶ as well as the outstanding cease and desist order. By Order E-15999,⁷ the Board directed USOA "to cease and desist from charging a different compensation for air transportation than the rates, fares and charges specified in its currently effective tariffs by exchanging air transportation for advertising publicity and/or promotional goods and services, or by any other means or device whatsoever." Again in the face of an outstanding Board order, USOA appears to have deviated from its effective tariff on numerous occasions by exchanging air transportation for, inter alia, services consisting of towing an aerial banner;⁸ radio publicity;⁹ photographic services;¹⁰ and in one instance, for release of a claim for a lost surf board.¹¹ In addition to the above, it appears that the carrier had other tariff violations, including the granting of free or reduced rate transportation to persons ineligible to receive it, and by the operation of at least one flight to a point not included in its tariff.¹²

The carrier's Schedule F reports for the years 1960 and 1961, which are required by Part 242 of the Board's Economic Regulations, indicate that USOA has exceeded the flight frequency limitations imposed by the Board on supple-

mental carriers.¹³ Further, the carrier has participated in cooperative working arrangements with numerous carriers and/or agents of air carriers¹⁴ in apparent violation of the express terms of its certificate and a cease and desist order as well.¹⁵ In addition, no copies of the contracts or agreements relating to the above working agreements have been filed with the Board as required by section 412 of the Act.

It also appears that USOA owns and/or controls one or more travel agencies operating under the trade name of "Sky Jet" and, similarly, that the carrier owns and/or controls Trans-Global Airline Agency of Honolulu and Aircoach Reservations, Inc. The ownership and/or control of the aforesaid ticket agencies constitute violations of sections 408 and/or 409 of the Act, inasmuch as no application has been filed by the carrier for approval of such control or interlocking relationships between an air carrier and a phase of aeronautics.

The carrier's pattern of continuing and habitual disregard for the Act, the terms of its certificate, and the Board's rules and regulations leads the Board to tentatively conclude that it does not possess the requisite disposition to comply with the law.

Aside from the foregoing, there are other factors which the Board tentatively concludes militates against the renewal of the carrier's certificate.

A carrier's financial condition is certainly an important element to be considered in assessing its fitness and ability to properly provide supplemental air services. It appears, on the basis of the information available to the Board, that USOA is in a somewhat precarious financial situation. As at December 31, 1961, its current liabilities greatly exceeded its current assets, and for the year ended December 31, 1961, the carrier apparently operated at a loss. It should be noted that the carrier's statistical and financial reports filed with the Board appear to be unreliable in this respect. Thus, for example, the carrier reported an operating profit in excess of \$210,000 for the year ended December 31, 1961, and current assets of over \$2,350,000.¹⁶ However, a recent investigation of the carrier's financial records conducted by the Board's auditors tends to indicate that the carrier actually operated at a loss during the calendar year 1961, and that its current assets as reported to the Board for the period ended December 31, 1961,

⁵ Adopted October 11, 1955 (Docket 7006).

⁶ Seaboard World Airlines, Inc. agreement, dated October 2, 1961. USOA charged \$1.70 per mile at a time when its effective tariff was \$1.50 per mile; on December 12, 1961, USOA transported 8,499 pounds of cargo between Newark, N.J., and Burbank, Calif., for Flying Tiger Line at a charge of \$22.20 per hundred pounds at a time when its effective tariff between these points was \$22.75 per hundred pounds; on December 12, 1961, USOA transported 14,337 pounds of cargo for Flying Tiger between Detroit, Mich., and Burbank, Calif., at a charge of \$1,647.98 which was purportedly based on a rate of \$18.05 per hundred pounds which was the carrier's effective tariff rate. At this tariff rate, the proper charge for that amount of cargo amounts to \$2,586; on or about December 20, 1961, USOA transported 13,116 pounds of cargo for Flying Tiger at a charge of \$1,495.22 which was purportedly based upon a rate of \$22.20 per hundred pounds. At this indicated rate, which was the carrier's effective tariff rate, the charge should have been \$2,911.75.

⁷ Adopted November 7, 1960 (Docket 10979).

⁸ Andre M. Tomalino.

⁹ Radio Station KIKI, Radio Station KPOI, Paul Gill Advertising Agency and the Pacific Far East Advertising Company.

¹⁰ Claude Jendrusch.

¹¹ Harmond P. Hart.

¹² See complete listing of apparent tariff violations in Appendix A.

¹³ This is an apparent violation of cease and desist Order E-9643, adopted October 11, 1955; see also Orders E-17822, dated December 12, 1961; E-17867, dated December 22, 1961; E-18012, dated February 12, 1962.

¹⁴ Blatz Airlines, Inc.; Pacific Southwest Airlines; Paramount Airlines, Inc.; Quaker City Airways, d/b/a Admiral Airways, Inc. (the latter two being represented by Transcontinental Airlines Agency, Inc., as agent); Saturn Airways, Inc.; Standard Airways, Inc.; and American Flyers Airline Corporation.

¹⁵ *Id.*, at footnote 5.

¹⁶ Financial and Statistical Reports for the year ended December 31, 1961.

¹ By Order E-14509, adopted October 1, 1959, the Board clarified certain provisions of the certificate and reissued an amended certificate. Such action did not affect the expiration date of the certificate.

² USOA's certificate has remained in effect by virtue of section 9(b) of the Administrative Procedure Act. 5 U.S.C. 1008 (1946).

³ See Order E-13436, at pp. 55-58.

⁴ *Id.*, at p. 56.

were substantially overstated.¹⁷ It also appears that the carrier's current liabilities exceeded its current assets by more than \$600,000 as of December 31, 1961, instead of by merely a little over \$210,000, as reported to the Board.¹⁸ The carrier's relatively unstable financial condition is aggravated by the fact that USOA, which has relied heavily on its operations for the military as a source of income,¹⁹ has recently had this source of income denied to it. In March of 1962, the Military Air Transport Service, after an investigation, found that the carrier was not qualified to participate in operations for the military establishment, and, accordingly, temporarily suspended the carrier from doing business with DTMS and MATS for a period of 90 days.²⁰ On May 8, 1962, the Board was advised by MATS that on resurvey, it had again found that USOA did not meet MATS' minimum acceptable standards and that, accordingly, USOA would not be considered eligible for MATS bidding for at least an additional 90 days, after which time, the carrier could request resurvey.²¹

Another important factor to be considered in determining a carrier's fitness for renewal is whether the carrier has adequately performed the services authorized by its certificate with due regard to the convenience and needs of the traveling public. The information at hand indicates that USOA may have failed to meet this important requirement. An analysis of the complaints from members of the traveling public on file with the Board's Bureau of Enforcement tends to support this view. Thus, during the period January 1, 1960, through January 9, 1962, 91 informal complaints were lodged against USOA. These ranged from complaints concern-

ing delays on making refunds to those involving outright rudeness on the part of USOA officials.²²

While the Board recognizes that unsubstantiated complaints do not definitely establish a pattern of mistreatment of the traveling public, the fact that such a substantial number of complaints have, in fact, been lodged against the carrier certainly raises a serious question as to the carrier's fitness in this regard. Moreover, the fact that the carrier appears to have encountered substantial difficulties in meeting its operating expenses lends support to the credibility of many of these complaints, including those dealing with the failure to make timely refunds, its substitution of inferior and less costly equipment for preferred equipment, and the cancellation of flights with little or short notice to passengers, apparently for economic reasons.²³

Upon careful consideration of the foregoing, and acting pursuant to the provisions of the Federal Aviation Act of 1958, as amended, and the Board's Economic Regulations, the Board finds that USOA should be directed to show cause within 20 days from the date of this order why the Board should not deny its application for renewal of its certificate of public convenience and necessity.

The proposed action raises the further question as to the disposition of the authority of the carrier to engage in overseas and foreign air transportation. Pursuant to Order E-9744, adopted November 15, 1955, as amended by Order E-9884, adopted December 29, 1955, the carrier has an interim operating authorization to engage in overseas air transportation. The carrier also holds a letter of registration, No. 292, issued under Part 291 of the Board's Economic Regulations, to engage in foreign air transportation of property as a large irregular air carrier.

These rights conferred by Order E-9744 and the carrier's individual letter of registration expire, by their terms, 60 days after the Board finally disposes, in Docket 5132, et al., of the carrier's applications for certificate and exemption authority to conduct supplemental services in overseas and foreign air transportation.²⁴

The Board concludes that the same considerations outlined above, which led us to the tentative conclusion that USOA's application for renewal of its

certificate authorizing interstate supplemental air services should be denied, apply with equal force to USOA's applications for overseas and foreign authorization. Accordingly, the Board will also direct USOA, within 20 days from the publication of this order, to show cause why its applications for foreign and overseas authorization, which have been consolidated into Docket 5132, et al.,²⁵ should not be denied.

Now, therefore, it is ordered,

1. That USOA and all other persons having an interest herein show cause why the carrier's application for renewal of its certificate of public convenience and necessity and its pending applications in Docket 5132, et al., for overseas and foreign authorizations should not be denied;

2. That any interested persons desiring to file a memorandum in opposition or exceptions to the proposed findings and conclusions of this tentative decision shall file such objections within 20 days from the date hereof; and that such objections shall specify, by separately numbered paragraphs, the part of the tentative decision excepted to and state the grounds thereof; and such objections filed by persons other than USOA shall be accompanied by a petition to intervene in the form prescribed by Rule 15 of the Board's rules of practice;

3. That any objection to the tentative decision not filed within the 20-day period or in the form specified herein shall be deemed waived;

4. That if proper objections are filed within the 20-day period specified above, this proceeding shall be set for hearing, and the hearing shall be limited, to the extent practicable and consistent with the public interest, to consideration of issues raised by the objections filed; and

5. That this order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 62-4918; Filed, May 21, 1962;
8:48 a.m.]

[Docket No. 12876]

TULSA-DENVER RESTRICTION CASE Notice of Postponement of Prehearing Conference

Notice is hereby given that the prehearing conference in the above-entitled matter now assigned for June 5 is postponed to June 6, 1962, 10 a.m., e.d.s.t., Room 803, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Robert L. Park.

Dated at Washington, D.C., May 17, 1962.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 62-4919; Filed, May 21, 1962;
8:48 a.m.]

²⁵ Dockets 3947 (exemption application), 5425 and 5427 (certificate applications) were consolidated into Docket 5132 by Orders E-5722 and E-6336, dated September 21, 1951 and April 17, 1952, respectively.

¹⁷ The Board's audit revealed that the carrier showed an operating loss in excess of \$50,000 during 1961, and that its current assets merely totaled approximately \$1,615,000 as at December 31, 1961.

¹⁸ Significantly, the recent examination of USOA's books showed that as of December 31, 1961, there were a relatively large number of unpaid, past due trade accounts, totaling approximately \$400,000. All of these trade accounts were over 30 days past due, and a substantial number of them were over 60 days in arrears. Manifestly, a carrier's ability to meet its current obligations as they fall due is one of the indicators of a carrier's fitness and ability to sustain and provide proper service.

¹⁹ During the nine months ended September 30, 1961, approximately two-thirds of its revenues were derived from MATS, CAM and Quicktrans operations. Quarterly Reports, 1961. The Quicktrans contract expired by its terms in the summer of 1961, and we are advised that it has not been renewed.

²⁰ On March 16, 1962, the Board was telegraphically advised by MATS that it suspended the carrier because of its (1) past history of aircraft accidents; (2) history of FAA violations; (3) unbalanced financial condition; (4) poor maintenance record; and (5) unsatisfactory performance and/or schedule reliability.

²¹ While we do not believe that the fact that MATS has found USOA unqualified to participate in operations for the military would, in and of itself, dictate a finding that the carrier is unfit to have its supplemental certificate renewed, this fact obviously raises serious questions as to the carrier's overall fitness to provide supplemental air service.

²² Thirty-four concerned delays in making refunds to passengers, and the remaining fifty-seven related to misrepresentation of service, flight delays, flight cancellations, substitution of inferior equipment for superior advertised equipment, unscheduled stops, transferring passengers to other carriers without advance reservations, etc.

²³ In addition, USOA's relatively poor performance rating with respect to its MATS and CAM operations, which, among other things, formed the basis for the recent MATS suspension, must be considered in assessing its overall ability to meet its service obligations to the public at large.

²⁴ See footnote 1, page 2, of Order E-16277, adopted January 17, 1961. Large Irregular Air Carrier Investigation, Docket 5132, et al. By this order, the Board, among other things, deferred action on USOA's applications for overseas and foreign authority.

[Docket No. 13527 etc.]

**TWA, ALLEGHENY, MOHAWK
TRANSFER CASE****Notice of Prehearing Conference**

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on May 31, 1962 at 10 a.m., e.d.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Herbert K. Bryan.

Dated at Washington, D.C., May 17, 1962.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 62-4920; Filed, May 21, 1962;
8:48 a.m.]

FEDERAL AVIATION AGENCY**GENERAL AVIATION DISTRICT OFFICES AT MEDFORD, OREG., AND
PALTO ALTO, CALIF.****Notice of Closing**

Notice is hereby given that on July 1, 1962, the Aviation District Office at Medford, Oregon, will be closed. Services provided Del Norte and Humboldt Counties, California, will be provided by the General Aviation District Office at Oakland, California. Services provided Siskiyou and Modoc Counties, California, will be provided by the General Aviation District Office at Sacramento, Calif. All other services formerly provided by the Medford Aviation District Office will be provided by the Aviation District Office at Portland, Oregon.

Notice is hereby given that on July 1, 1962, the Aviation District Office at Palo Alto, California, will be closed. Services provided by the Palo Alto Aviation District Office will be provided by the Aviation District Office at Oakland, California.

(Sec. 313(a), 72 Stat. 752, 49 U.S.C. 1354)

Issued in Washington, D.C., on May 11, 1962.

N. E. HALABY,
Administrator.

[F.R. Doc. 62-4891; Filed, May 21, 1962;
8:45 a.m.]

**FEDERAL COMMUNICATIONS
COMMISSION**

[Docket No. 14315; FCC 62M-707]

DAKOTA MICROWAVE CO.**Memorandum Opinion and Order
Continuing Hearing**

In re application of Dakota Microwave Company, Turkey Ridge, South Dakota, Docket No. 14315, File No. 1046-C1-R-61; for renewal of the license for Station KQ71, a facility in the Domestic Public Point-to-Point Microwave Radio Service.

PRELIMINARY STATEMENT

1. The Examiner is in receipt of a letter, dated May 14, 1962, from Allen C.

No. 99—3

Harmes, d/b as Dakota Microwave Company, wherein a request is made that the hearing, presently scheduled to commence on May 21, 1962, be postponed to either June 25 or June 26, 1962, since Mr. Harmes expects to be in Washington on business matters during the week of June 17 to June 22, 1962. The Examiner is further in receipt of a reply to this letter from the Common Carrier Bureau, filed on May 16, 1962.

BACKGROUND

2. As is set forth more fully in a Memorandum Opinion and Order of the Examiner, released December 6, 1961 (FCC 61M-1906) and his Order released February 23, 1962 (FCC 62M-269), Mr. Harmes who intends to represent himself in the proceedings herein had a serious heart attack just prior to Thanksgiving and has been under doctor's orders to refrain from business activities for a period of at least six months from that date, and has, therefore, been unable to gather the data and material which he would need for presentation at the hearing which has heretofore been scheduled to commence on February 26, 1962. Upon learning of these matters, the Bureau filed a pleading on behalf of Mr. Harmes to permit him, because of his physical condition, to avoid a default and the Examiner in the aforementioned Order of February 23 granted an extension to May 21, 1962.

PRESENT REQUEST

3. It is to be noted first that, in the instant request, Mr. Harmes has not complied with the Commission's rules (47 CFR 1.50 to 1.56), regarding specification and service of pleadings and other papers. In its reply to Mr. Harmes' letter, which the Bureau treats as an informal motion, the Bureau has stated that, in order to facilitate prompt consideration, it waives the procedural deficiencies, relative to the manner in which the informal motion was filed. The Examiner notes that Mr. Harmes is apparently an individual who is engaged in providing the service at issue in a remote section of the country and has not thus far engaged counsel. In view of Mr. Harmes' situation and his recent serious illness, the Examiner believes that good cause has been shown for the waiver of the rules relating to specification and service of pleadings and commends the Bureau for the position it has taken thus far in affording Mr. Harmes every reasonable opportunity to secure a decision on the substantive merits of his application rather than to hold him strictly accountable to the following of the required procedural standards.

4. It is also noted that in its reply the Bureau, although interposing no objection to a continuance to afford Mr. Harmes an opportunity for a hearing at a later date when he plans to be in Washington on business, points out that its counsel is occupied on the dates requested by Mr. Harmes and therefore suggests that the hearing be scheduled for a day during the week of June 18, 1962, convenient to the Examiner. The Examiner recently granted a postponement to Antennavision Service Company,

Inc., Docket Nos. 14336-14340 (Order released May 11, 1962, FCC 62M-678), to the same period because its president and principal witness, who had business commitments in the western part of the United States, was planning to be in Washington, D.C., at the same event during the week of June 17, 1962.

5. Although Mr. Harmes did not specifically request it, the Bureau has expressly waived the provisions of the four-day rule (47 CFR 1.43) in order to permit prompt consideration of this matter.

6. In view of the foregoing, the Examiner is of the opinion that good cause has been shown for a further postponement of the hearing herein to a date during the week of June 18. The Examiner believes, however, that Mr. Harmes should be put on notice that, when the hearing is held, he will be required to present such evidence as he deems appropriate in support of his application at the formal hearing and that the grant of successive postponements on the basis of telephone calls initiated by the Bureau, or informal letters addressed to the Examiner, should not lead Mr. Harmes to believe that he may, as stated in his letter, meet informally with the Examiner to submit future plans for the use of his microwave facilities and renewal of his license. Mr. Harmes should also be put on notice that if he should desire to seek further continuances or relief he should be the one to initiate proper pleadings and not rely upon the Bureau to remind him of pending hearing dates. Failure to appear or to seek postponements in accordance with applicable rules could result in default.

It is ordered, This 16th day of May 1962, that the hearing heretofore scheduled to commence on May 21, 1962, is rescheduled to commence on June 20, 1962, at 10:00 a.m., at the Offices of the Commission in Washington, D.C.

Released: May 17, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-4922; Filed, May 21, 1962;
8:49 a.m.]

[Docket Nos. 14455, 14456; FCC 62M-704]

**JEFFERSON RADIO CO. (WIXI) AND
VOICE OF THE MID SOUTH****Order Changing Place of Hearing**

In re applications of W. D. Frink, tr/as Jefferson Radio Company (WIXI), Docket No. 14455, File No. BL-8187; for license to cover construction permit BP-10672 authorizing a new standard broadcast station at Irondale, Alabama, and Fred H. Davis and W. D. Frink, d/b as Voice of the Mid South, Docket No. 14456, File No. BP-14110; for construction permit to build a new standard broadcast station at Centreville, Alabama.

The Chief Hearing Examiner having under consideration a petition in behalf of the Commission's Broadcast Bureau, filed May 10, 1962, for a change in the place of hearing in the above-entitled

proceeding from Washington, D.C., to Birmingham, Alabama;

It appearing, that, as indicated by petitioner, a field hearing in this proceeding is essential from the standpoint of the interests of the Government as well as the applicants and may be authorized under Commission policy;

It is ordered, This 16th day of May 1962, that the petition is granted and that sessions of the hearing in the above-entitled proceeding will be held in Birmingham, Alabama.

Released: May 16, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-4923; Filed, May 21, 1962;
8:49 a.m.]

[Docket Nos. 14629, 14630; FCC 62M-709]

RHODE ISLAND-CONNECTICUT RADIO CORP. (WERI-FM) AND WILLIE BROADCASTING CO.

Order Scheduling Hearing

In re applications of Rhode Island-Connecticut Radio Corporation (WERI-FM), Westerly, Rhode Island, Docket No. 14629, File No. BPH-3669; The Willie Broadcasting Company, Willimantic, Connecticut, Docket No. 14630, File No. BPH-3693; for construction permits (FM).

It is ordered, This 16th day of May 1962, that Walther W. Guenther will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on July 24, 1962, in Washington, D.C.: *And, it is further ordered*, That a prehearing conference in the proceeding will be convened by the presiding officer at 9:00 a.m., Friday, June 22, 1962.

Released: May 17, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-4924; Filed, May 21, 1962;
8:49 a.m.]

[Docket No. 14577; FCC 62M-708]

TRIANGLE PUBLICATIONS, INC. (WNHC-TV)

Order Re Procedural Dates

In re application of Triangle Publications, Inc. (WNHC-TV) (Radio and Television Division), New Haven, Connecticut, Docket No. 14577, File No. BPCT-2897; for construction permit.

Pursuant to agreement of counsel for all parties on the record at the further prehearing conference held on May 15, 1962, *It is ordered*, this 16th day of May 1962, that the following procedure is established:

(1) The informal conference for the purpose of entertaining objections to applicant's engineering exhibit and requests for additional information is continued from May 18 to June 8, 1962;

(2) Counsel for respondents is required to file his motion to quash Subpoenas Duces Tecum issued May 7, 1962, to William L. Putnam and Herbert Scheftel not later than May 21, 1962, with such filing to be had by personal service;

(3) Oppositions to the motion to quash may be filed by all parties not later than May 25, 1962; and

(4) Hearing on applicant's engineering case is continued from May 23 to 10:00 a.m., June 20, 1962.

Released: May 17, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-4925; Filed, May 21, 1962;
8:49 a.m.]

FEDERAL MARITIME COMMISSION

T. J. HANSON ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following agreements have been filed with the Federal Maritime Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended.

No. 8856 between T. J. Hanson (Beaumont, Texas) and W. R. Zanes & Company (Houston, Texas).

No. 8858 between T. J. Hanson (Beaumont, Texas) and Caldwell & Company, Inc. (New York, N.Y.).

These agreements, whose terms are identical, are cooperative working arrangements between the parties under which they will perform forwarding services for each other, dividing service fees and ocean freight brokerage as agreed. All three parties have been assigned application numbers as independent ocean freight forwarders under Public Law 87-254.

No. 8869 between International Expeditors, Inc. (New York, N.Y.) and H. L. Ziegler, Inc. (Galveston, Texas).

No. 8871 between International Expeditors, Inc. and Godwin Shipping Company, Inc. (Mobile, Ala.).

No. 8872 between International Expeditors, Inc. and Alfred H. Marzolf, Inc. (Seattle, Washington).

These agreements are cooperative working arrangements with identical terms, under which the parties will perform forwarding services for each other. Forwarding, brokerage and service fees are to be divided as agreed upon. All the parties have been assigned application numbers under Public Law 87-254 as independent ocean freight forwarders.

Interested persons may inspect these agreements and obtain copies thereof at the Bureau of Domestic Regulations, Federal Maritime Commission, Washington 25, D.C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to them, and their position as to approval, disapproval, or modification thereof, together with re-

quest for hearing should such hearing be desired.

Dated: May 16, 1962.

By order of the Federal Maritime Commission.

THOMAS LIST,
Secretary.

[F.R. Doc. 62-4926; Filed, May 21, 1962;
8:49 a.m.]

NORDSTROM FREIGHTING CORP. ET AL.

Notice of Agreements Filed for Approval

Notice is hereby given that the following agreements have been filed with the Federal Maritime Commission for approval pursuant to section 15 of the Shipping Act, 1916, as amended.

No. 8772 between Nordstrom Freighting Corp. (New York, N.Y.) and W. L. Richeson & Sons, Inc. (New Orleans).

Under this agreement the New Orleans forwarder will perform forwarding services for the New York forwarder at a specified fee per shipment, plus 25 percent of the ocean freight brokerage. Both parties have been assigned application numbers as independent ocean freight forwarders under Public Law 87-254.

No. 8889 between T. J. Hanson (Beaumont, Texas) and E. A. Gonzalez Co., Inc. (New York, N.Y.).

Under this cooperative working arrangement the parties will perform freight forwarding services for each other, dividing forwarding fees and ocean freight brokerage as agreed. Both parties have been assigned application numbers as independent ocean freight forwarders under Public Law 87-254.

Interested persons may inspect these agreements and obtain copies thereof at the Bureau of Domestic Regulation, Federal Maritime Commission, Washington 25, D.C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to them, and their position as to approval, disapproval, or modification thereof, together with request for hearing should such hearing be desired.

Dated: May 16, 1962.

By order of the Federal Maritime Commission.

THOMAS LIST,
Secretary.

[F.R. Doc. 62-4927; Filed, May 21, 1962;
8:49 a.m.]

[Docket No. 1001]

GULF/MEDITERRANEAN PORTS CONFERENCE

Notice of Filing of Exclusive Patronage (Dual Rate) Contract

Notice is hereby given that the Gulf/Mediterranean Ports Conference has filed with the Commission, pursuant to section 3 of Public Law 87-346, a proposed

Exclusive Patronage (Dual Rate) Contract, modified for the purpose of conforming such contract to the provisions of section 14b of the Shipping Act, 1916. As required by section 3, the Federal Maritime Commission will determine whether the contract should be approved, disapproved, canceled or modified pursuant to the provisions of section 14b.

Interested parties may inspect a copy of the contract at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., and at the offices of the District Directors of the Federal Maritime Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 30 days after publication of this notice in the *FEDERAL REGISTER*, an original and 15 copies of written statements with reference to such contract and their position as to approval, disapproval, modification, or cancellation, together with a request for hearing, should a hearing be desired.

Dated: May 18, 1962.

By order of the Federal Maritime Commission.

GEO. A. VIEHMANN,
Assistant Secretary.

[F.R. Doc. 62-4946; Filed, May 21, 1962;
8:49 a.m.]

[Docket No. 1002]

PACIFIC WESTBOUND CONFERENCE

Notice of Filing of Exclusive Patronage (Dual Rate) Contract

Notice is hereby given that the Pacific Westbound Conference has filed with the Commission, pursuant to section 3 of Public Law 87-346, a proposed Exclusive Patronage (Dual Rate) Contract, modified for the purpose of conforming such contract to the provisions of section 14b of the Shipping Act, 1916. As required by section 3, the Federal Maritime Commission will determine whether the contract should be approved, disapproved, canceled or modified pursuant to the provisions of section 14b.

Interested parties may inspect a copy of the contract at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., and at the offices of the District Directors of the Federal Maritime Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 30 days after publication of this notice in the *FEDERAL REGISTER*, an original and 15 copies of written statements with reference to such contract and their positions as to approval, disapproval, modification, or cancellation, together with a request for hearing, should a hearing be desired.

Dated: May 18, 1962.

By order of the Federal Maritime Commission.

GEO. A. VIEHMANN,
Assistant Secretary.

[F.R. Doc. 62-4947; Filed, May 21, 1962;
8:49 a.m.]

[Docket No. 1003]

CAPCA FREIGHT CONFERENCE

Notice of Filing of Exclusive Patronage (Dual Rate) Contract

Notice is hereby given that the Capca Freight Conference has filed with the Commission, pursuant to section 3 of Public Law 87-346, a proposed Exclusive Patronage (Dual Rate) Contract, modified for the purpose of conforming such contract to the provisions of section 14b of the Shipping Act, 1916. As required by section 3, the Federal Maritime Commission will determine whether the contract should be approved, disapproved, canceled or modified pursuant to the provisions of section 14b.

Interested parties may inspect a copy of the contract at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., and at the offices of the District Directors of the Federal Maritime Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 30 days after publication of this notice in the *FEDERAL REGISTER*, an original and 15 copies of written statements with reference to such contract and their position as to approval, disapproval, modification, or cancellation, together with a request for hearing, should a hearing be desired.

Dated: May 18, 1962.

By order of the Federal Maritime Commission.

GEO. A. VIEHMANN,
Assistant Secretary.

[F.R. Doc. 62-4948; Filed, May 21, 1962;
8:49 a.m.]

[Docket No. 1004]

BRAZIL/UNITED STATES-CANADA FREIGHT CONFERENCE

Notice of Filing of Exclusive Patronage (Dual Rate) Contract

Notice is hereby given that the Brazil/United States-Canada Freight Conference has filed with the Commission, pursuant to section 3 of Public Law 87-346, a proposed Exclusive Patronage (Dual Rate) Contract, modified for the purpose of conforming such contract to the provisions of section 14b of the Shipping Act, 1916. As required by section 3, the Federal Maritime Commission will determine whether the contract should be approved, disapproved, canceled or modified pursuant to the provisions of section 14b.

Interested parties may inspect a copy of the contract at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., and at the offices of the District Directors of the Federal Maritime Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 30 days after publication of this notice in the *FEDERAL REGISTER*, an original and 15 copies of written statements with reference to such contract and their position as to

approval, disapproval, modification, or cancellation, together with a request for hearing, should a hearing be desired.

Dated: May 18, 1962.

By order of the Federal Maritime Commission.

GEO. A. VIEHMANN,
Assistant Secretary.

[F.R. Doc. 62-4949; Filed, May 21, 1962;
8:49 a.m.]

[Docket No. 1005]

ASSOCIATED STEAMSHIP LINES (MANILA)

Notice of Filing of Exclusive Patronage (Dual Rate) Contract

Notice is hereby given that the Associated Steamship Lines (Manila) has filed with the Commission, pursuant to section 3 of Public Law 87-346, a proposed Exclusive Patronage (Dual Rate) Contract, modified for the purpose of conforming such contract to the provisions of section 14b of the Shipping Act, 1916. As required by section 3, the Federal Maritime Commission will determine whether the contract should be approved, disapproved, canceled or modified pursuant to the provisions of section 14b.

Interested parties may inspect a copy of the contract at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., and at the offices of the District Directors of the Federal Maritime Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 30 days after publication of this notice in the *FEDERAL REGISTER*, an original and 15 copies of written statements with reference to such contract and their position as to approval, disapproval, modification, or cancellation, together with a request for hearing, should a hearing be desired.

Dated: May 18, 1962.

By order of the Federal Maritime Commission.

GEO. A. VIEHMANN,
Assistant Secretary.

[F.R. Doc. 62-4950; Filed, May 21, 1962;
8:49 a.m.]

[Docket No. 1006]

GULF/FRENCH ATLANTIC HAMBURG RANGE CONFERENCE

Notice of Filing of Exclusive Patronage (Dual Rate) Contract

Notice is hereby given that the Gulf/French Atlantic Hamburg Range Conference has filed with the Commission, pursuant to section 3 of Public Law 87-346, a proposed Exclusive Patronage (Dual Rate) Contract, modified for the purpose of conforming such contract to the provisions of section 14b of the Shipping Act, 1916. As required by section 3, the Federal Maritime Commission will determine whether the contract should be approved, disapproved, can-

celed or modified pursuant to the provisions of section 14b.

Interested parties may inspect a copy of the contract at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., and at the offices of the District Directors of the Federal Maritime Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 30 days after publication of this notice in the FEDERAL REGISTER, an original and 15 copies of written statements with reference to such contract and their position as to approval, disapproval, modification, or cancellation, together with a request for hearing, should a hearing be desired.

Dated: May 18, 1962.

By order of the Federal Maritime Commission.

GEO. A. VIEHMANN,
Assistant Secretary.

[F.R. Doc. 62-4951; Filed, May 21, 1962;
8:49 a.m.]

[Docket No. 1007]

PACIFIC COAST EUROPEAN CONFERENCE

Notice of Filing of Exclusive Patronage (Dual Rate) Contract

Notice is hereby given that the Pacific Coast European Conference has filed with the Commission, pursuant to section 3 of Public Law 87-346, a proposed Exclusive Patronage (Dual Rate) Contract, modified for the purpose of conforming such contract to the provisions of section 14b of the Shipping Act, 1916. As required by section 3, the Federal Maritime Commission will determine whether the contract should be approved, disapproved, canceled or modified pursuant to the provisions of section 14b.

Interested parties may inspect a copy of the contract at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., and at the offices of the District Directors of the Federal Maritime Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 30 days after publication of this notice in the FEDERAL REGISTER, an original and 15 copies of written statements with reference to such contract and their position as to approval, disapproval, modification, or cancellation, together with a request for hearing, should a hearing be desired.

Dated: May 18, 1962.

By order of the Federal Maritime Commission.

GEO. A. VIEHMANN,
Assistant Secretary.

[F.R. Doc. 62-4952; Filed, May 21, 1962;
8:49 a.m.]

FEDERAL POWER COMMISSION

[Docket No. AR61-2 etc.]

AREA RATE PROCEEDING ET AL.

Order Adding Respondents and Consolidating Proceedings

MAY 15, 1962.

Area Rate Proceeding, Docket No. AR61-2; Aladdin Exploration Company, Inc., et al., Docket No. CI61-1564, etc.; Amerada Petroleum Corporation, et al., Docket No. RI60-18, etc.

On May 10, 1961, the Commission issued an order "Instituting Rate Proceeding for the Southern Louisiana Area, Consolidating Proceeding and Prescribing Preliminary Procedure" which, among other things, instituted a proceeding to establish just and reasonable rate or rates for the sales of natural gas produced in the Southern Louisiana area as defined in the order and making respondents in the proceeding all persons named in Appendix "A" thereto and all parties on whose behalf such persons had filed FPC Gas Rate Schedules for sales in such area, and consolidating therein a number of certificate proceedings listed in Appendix "B" thereto, as well as a number of rate suspension proceedings listed in Appendix "C" thereto. The said order was published in the FEDERAL REGISTER on May 17, 1961 (26 F.R. 4296). By subsequent orders certain dockets were severed from and others were consolidated with the Docket No. AR61-2 proceedings.

Attached hereto as appendices are: (1) Appendix "A" (Supplement), a listing of additional persons having rate schedules on file for sales in the area who were not heretofore made respondents in the proceedings; (2) Appendix "B" (Supplement), a listing of additional proceedings on applications for certificates of public convenience and necessity which have not heretofore been consolidated with the said proceedings; and (3) Appendix "C" (Supplement), a listing of additional rate suspension proceedings listed in said appendices are heretofore been consolidated with the said proceedings. Since the persons and proceedings listed in said appendices are concerned with the sale of gas produced in the Southern Louisiana area, we have decided that these persons should be added as respondents and the listed proceedings should be consolidated for hearing with the Docket No. AR61-2 proceedings.

The Commission finds: Good cause exists to join as respondents the persons listed in Appendix "A" (Supplement) hereto and all parties on whose behalf such persons have filed FPC gas rate schedules for sales in the Southern Louisiana area and to consolidate for the purpose of hearing all of the proceedings designated in Appendices "B" (Supplement) and "C" (Supplement) hereto with the Docket No. AR61-2 proceedings, pursuant to the provisions of the Natural Gas Act, particularly sections 4, 5, 7, 10, 14, 15 and 16 thereof.

The Commission orders:

(A) The persons listed in Appendix "A" (Supplement) and all parties on whose behalf such persons have filed FPC Gas rate schedules for sales in the Southern Louisiana area be and they are hereby made respondents in the proceedings in Docket Nos. AR61-2, et al.

(B) The pending proceedings designated in Appendices "B" (Supplement) and "C" (Supplement) be and they are hereby consolidated for the purposes of hearing with the proceedings in Docket Nos. AR61-2, et al.

(C) A copy of this order will be served upon each of the Respondents set out in Appendix "A" (Supplement).

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

APPENDIX "A" (SUPPLEMENT)

RESPONDENTS¹

Benin Oil Company,
Brunner, Arnold H. & Company,
Cockrell, E., Jr.,
Dorn & Miller Company,
Freedom Minerals, Inc.,
Grigsby, Jack W.,
Hibbert, R. E.,
Hunt, Hassie Trust,
Hunt, Lamar,
Lamson & Bennett, Inc.,
Lyons, C. H., Sr.,
McCaIn, M. F.,
Midhurst Oil Corporation,
Peltier, Harvey,
The Preston Oil Company,
Richardson & Bass, Louisiana Account,
Riverside Oil Company,
Skelly Oil Company,
Southwest Gas Producing Company, Inc.,
State Exploration Company,
Texas Liberty Gas Corporation,
Tex-Star Oil and Gas Corporation,
The Textar Corporation,²
The TXL Oil Corporation,
Union Texas Petroleum, a Division of Allied Chemical Corporation,³
W. E. Walker, and
Cordell, J. H.

¹ All persons named herein and all parties on whose behalf such persons have filed FPC Gas Rate Schedules for sales in Southern Louisiana are joined as respondents in these proceedings.

² Successor to Petroleum Leaseholds Inc.

³ Successor to Union Texas Natural Gas Corporation.

APPENDIX "B" (SUPPLEMENT)

Producer* and Docket No.

Amerada Petroleum Corporation, CI62-216, CI62-525, CI62-805.
Atlantic Refining Company, CI62-8, CI62-146, CI62-416, CI62-435.
Austral Oil Company, Inc. (Operator), et al., CI62-395.
Bel Oil Corporation, CI61-1799.
Brunner, Arnold H. & Company,¹ CI62-305.
The California Co., a Division of California Oil Company, CI62-145, CI62-231.
Cities Service Production Company, CI62-135.
E. Cockrell, Jr., CI62-400.
Continental Oil Company, CI62-147.
Dorn & Miller Company, CI62-897.
Cordell, J. H., CI62-614.
Falcon Seaboard Drilling Company, CI62-1225.
Forest Oil Corporation, CI62-283.
Freeport Oil Company, CI62-720.
Gulf Oil Corporation, CI61-1630, CI62-411, CI62-412, CI62-859, CI62-62.
R. E. Hibbert, CI62-702.

Hudson Gas & Oil Corporation, CI62-841.
 Humble Oil and Refining Company, CI62-69.
 Jameson, F. E., et al., CI62-546.
 Kerr-McGee Oil Industries, Inc., CI62-398.
 Lamson & Bennett, Inc., et al., CI62-606.
 M. F. McCain, et al., CI62-582.
 George C. McGhee, (Operator) et al., CI61-1737.
 Mosbacher, Robert, CI62-693.
 Newmont Oil Company, G-17765.
 North Central Oil Corporation, CI62-313.
 Ocean Drilling and Exploration Company, CI61-1708.
 Owen, J. P., CI62-538.
 Pan American Petroleum Corporation, CI62-724, CI62-782.
 O'Meara, Robert W., CI62-479.
 The Preston Oil Company, CI62-1209.
 The Pure Oil Company, CI62-1224.
 Samadam Oil Corporation, CI62-378, CI62-561.
 Shell Oil Company, CI62-623, CI62-625.
 Shoreline Exploration, Inc., CI62-102.
 Socony Mobil Oil Company, Inc., CI61-659,² CI61-1640.
 Sohio Petroleum Company, CI62-337.
 Southdown Inc., CI62-550, CI62-551.
 State Exploration Company, CI62-326.
 Tennessee Louisiana Oil Company, CI62-682.³
 Texaco Inc., CI61-1713, CI62-16, CI62-407, CI62-544.
 Texas Gas Exploration Corporation, CI62-930.
 Tidewater Oil Company, CI62-137, CI62-638.
 J. C. Trahan Drilling Contractors, Incorporated, CI62-771.
 Union Oil Company of California, CI62-806, CI62-822.
 Union Oil and Gas Corporation of Louisiana, G-13221.⁴
 Whitehall Oil Company, Inc., et al., CI61-1809.
 Texstar Corporation,⁵ CI62-951.

*Producers listed herein are the party applicants and such listing does not necessarily include all parties covered by the certificate application involved.

¹ Texas Liberty Gas Corporation has filed in Docket No. CI62-683 to be substituted as Applicant in Docket No. CI62-305.

² Socony Mobil Oil Company, Inc. has been substituted for Republic Natural Gas Company in CI61-659.

³ Tenneco Oil Company has filed a motion to be substituted for Tennessee Louisiana Oil Company in this proceeding.

⁴ Union Texas Petroleum, a Division of Allied Chemical Corporation, has filed in Docket No. CI62-1010 as successor to Union Oil and Gas Corporation of Louisiana in this proceeding.

⁵ Successor to Petroleum Leaseholds, Inc.

APPENDIX "C" (SUPPLEMENT)

Producer¹ and Docket No.

Amerada Petroleum Corporation, G-17538, G-17539, RI62-222, RI62-282, RI62-288, RI62-289.
 Atlantic Refining Company, RI62-77,* RI62-78,* RI62-276.
 Austral Oil Company, Inc. (Operator), et al., RI62-93.
 Austral Oil Co., Inc. (Operator), Agent for Oil Participations Inc., RI62-94, RI62-360.
 Bel Oil Corporation, RI62-177, RI62-182.
 The British-American Oil Producing Company, G-17665, RI61-540, RI62-184,* RI62-274.
 Benedum Trees Oil Company, RI62-191.
 Berkshire Oil Company, RI62-266.
 Brown, George R., RI62-145.
 Cabot Corporation, RI62-208,* RI62-133.
 The California Co., a Division of California Oil Company, RI62-232, RI62-146, RI62-248.
 Cities Service Production Company, RI62-58.
 Cities Service Petroleum Company, RI62-245.
 Columbian Carbon Company, RI62-79.
 Dixon Management Corporation, RI61-552.

Falcon Seaboard Drilling Company, RI61-509.
 Forest Oil Corporation, RI62-68, RI62-69.*
 The F. O. Corp., RI62-214.
 General Crude Oil Company, RI61-548, RI62-359.
 Graridge Corporation, RI62-169.
 Gulf Oil Corporation, RI62-203, RI62-202, RI62-85, RI62-120.
 Mrs. Louise H. Herrington, RI62-270.
 Humble Oil and Refining Company, RI62-82,* RI62-321, RI62-83, RI61-133, RI62-287.
 Hunt, H. L., RI62-228.
 Hassie Hunt Trust, RI62-227.
 Kerr-McGee Oil Industries, Inc., RI61-514, RI62-62, RI62-237, RI62-378.
 Mecom, John W., RI62-311.
 Midwest Oil Corporation, RI62-119.
 Midhurst Oil Corp., RI62-348.
 Owen, J. P., RI62-234.
 Pan American Petroleum Corporation, RI62-220, RI62-98,* RI62-99, RI62-356.
 Placid Oil Company, RI62-211, RI62-257.
 Secure Trusts, RI62-226.
 Shoreline Exploration, Incorporated, RI62-103, RI61-557.
 Sinclair Oil and Gas Company, RI62-190.
 Socony Mobil Oil Co., Incorporated, RI62-153, RI62-112.*
 Sohio Petroleum Company, RI62-89, RI62-269, RI62-320.
 Southwest Gas Producing Company, Inc., RI62-230, RI62-241.
 Sun Oil Company, RI62-101.*
 Sunray Mid-Continent Oil Company,² RI62-32,* RI61-463.
 The Superior Oil Company, G-17707, RI62-278.
 Texaco Inc., RI62-155, RI62-156, RI62-157.
 Texas Gulf Producing Company, RI62-75, RI62-90.
 Tex-Star Oil and Gas Corporation, RI62-358.
 Tidewater Oil Company, RI62-109,* RI62-149.
 Union Oil Company of California, RI62-43, G-17705, RI62-295.
 Union Texas Natural Gas Corporation,³ RI62-91.

*This proceeding is consolidated only insofar as it pertains to sales in South Louisiana.

¹ This producer designation is for general identification and may not include all of the respondents designated in the respective orders initiating rate suspension proceedings.

² Now Sunray DX Oil Company.

³ Now Union Texas Petroleum, a Division of Allied Chemical Corporation.

[F.R. Doc. 62-4897; Filed, May 21, 1962; 8:46 a.m.]

[Docket No. G-11742 etc.]

SOCONY MOBIL OIL CO., INC.

Order Amending Outstanding Certificates of Public Convenience and Necessity To Reflect Change in Holder, and Cancelling Docket Number

MAY 15, 1962.

Socony Mobile Oil Company, Inc. (successor to Magnolia Petroleum Company), Docket Nos. G-11742, et al., and G-19516.

On September 21, 1959, Socony Mobil Oil Company, Inc. (Socony), joined by Magnolia Petroleum Company (Magnolia), filed in Docket No. G-19516 an application for authorization to continue certain services previously authorized to Magnolia in the docket numbers listed, with their related certificate order designations, in Appendix I which appears below and made a part hereof.

Such action was prompted by merger, effective September 30, 1959, between Socony and Magnolia (Socony's wholly-owned subsidiary) whereby Socony acquired all rights, privileges, obligations, etc., previously held by Magnolia.

Subsequent to the filing of the aforesaid application, Socony filed twenty-eight motions to amend, revising certain services originally authorized to Magnolia and now to be continued by Socony, all as reflected in Appendix II which also appears below and made a part hereof. These amendments require considerations not encompassed in this order.

The Commission finds:

(1) It is in the public interest and appropriate in carrying out the provisions of the Natural Gas Act to amend the respective orders issuing certificates of public convenience and necessity to Magnolia in the docket numbers listed in Appendix I attached hereto to reflect Socony as the certificate holder in each case.

(2) The twenty-eight motions to amend Socony's application in Docket No. G-19516, reflected in Appendix II attached hereto, should be construed as petitions to amend the authorizations in the related original dockets and no action on the disposition of these petitions to amend should be taken in this order.

(3) The docket designation of Docket No. G-19516, previously assigned to Socony's application to continue the services heretofore authorized to Magnolia, should be cancelled.

The Commission orders:

(A) The outstanding certificates of public convenience and necessity heretofore granted to Magnolia by orders of the Commission listed in Appendix I attached hereto and made a part of this order, be and the same are hereby amended by substituting Socony Mobil Oil Company, Inc., for Magnolia Petroleum Company as holder thereof.

(B) In all other respects, said certificate authorizations shall remain in full force and effect as issued.

(C) The twenty-eight motions to amend Socony's application in Docket No. G-19516 are hereby construed as petitions to amend the related original docket authorizations as reflected in Appendix II attached hereto and made a part hereof, and no action on said petitions is taken herein.

(D) The docket designation of Docket No. G-19516 assigned to Socony's subject application is hereby cancelled.

By the Commission.

[SEAL]

JOSEPH H. GUTRIDE,
Secretary.

APPENDIX I

Certificates of public convenience and necessity have been issued to Magnolia Petroleum Company, Magnolia Petroleum Company, Operator, or Magnolia Petroleum Company (Operator) et al., in the following dockets by the below-identified orders:

Docket Nos. G-11742, G-11863, G-11864, G-11866 through G-11869, G-11893, G-11894, G-11918, G-11931 through G-11933, G-11935 through G-11952, G-11954, G-11957 through G-11961, G-11989, G-11995 through G-11997, G-12000 through G-12006, G-12070 through G-12074, G-12079, G-12080, G-12082 through G-12084, G-12086, G-12087, G-12089, G-12090, G-12092, G-12098, G-12103 and

G-12431. (In the Matters of Magnolia Petroleum Company, Docket Nos. G-11742, et al., issued September 9, 1958.)

Docket Nos. G-11860 through G-11862, G-11870, G-11912, G-11913, G-11915, G-11934, G-11953, G-11955, G-11956, G-11985 through G-11987, G-11998, G-11999, G-12081, G-12085, G-12088, G-12091, G-12093, G-12096, G-12097, G-12100 through G-12102, G-12584 through G-12594, and G-12654 through G-12656. (In the Matters of Magnolia Petroleum Company, et al., Docket Nos. G-11860, et al., issued June 19, 1958.)

Docket Nos. G-11911 and G-12078. (In the Matters of Lone Star Producing Company, et al., Docket Nos. G-10420, et al., issued April 25, 1957.)

Docket Nos. G-11917, G-11984, G-12323, G-12686 and G-12718. (In the Matters of Toklan Oil Corporation, et al., Docket Nos. G-10533, et al., issued November 4, 1957.)

Docket No. G-12728. (In the Matters of Arkansas Fuel Oil Corporation, et al., Docket Nos. G-9692, et al., issued November 26, 1957.)

Docket Nos. G-12095, G-12364 and G-12904. (In the Matters of Magnolia Petroleum, et al., Docket Nos. G-12095, et al., issued April 25, 1958.)

Docket No. G-13324. (In the Matters of Ashland Oil & Refining Co., et al., Docket Nos. G-12796, et al., issued April 24, 1958.)

Docket No. G-13943. (In the Matters of Cyprus Oil Company, Operator, et al., Docket Nos. G-13870, et al., issued April 17, 1958.)

Docket No. G-12099. (In the Matters of Sabianna Oil Company, Inc., et al., Docket Nos. G-12057, et al., issued October 8, 1957.)

Docket No. G-12362. (In the Matters of Southern Natural Gas Company, et al., Docket Nos. G-11234, et al., issued July 12, 1957.)

Docket Nos. G-12614, G-12820, and G-12840. (In the Matters of The Ohio Oil Company, et al., Docket Nos. G-12578, et al., issued June 2, 1958.)

Docket No. G-12657. (In the Matters of Texas Eastern Transmission Corporation, et al., Docket Nos. G-11784, et al., issued April 24, 1958.)

Docket No. G-12770. (In the Matters of Oklahoma Natural Gas Company, et al., Docket Nos. G-12759, et al., issued September 3, 1958.)

Docket No. G-12821. (In the Matters of Northern Natural Gas Company, et al., Docket Nos. G-13041, et al., issued December 13, 1957.)

Docket No. G-12861. (In the Matters of Arkansas Fuel Oil Corporation, et al., Docket Nos. G-3031, et al., issued February 10, 1958.)

Docket No. G-12903. (In the Matters of Magnolia Petroleum Company, et al., Docket Nos. G-12903, et al., issued December 4, 1958.)

Docket Nos. G-14908, G-14913 and G-14914. (In the Matters of L. B. Porter, et al., Docket Nos. G-14893, et al., issued December 18, 1958.)

Docket No. G-13275. (In the Matters of The Atlantic Refining Company, et al., Docket Nos. G-13257, et al., issued October 27, 1958.)

Docket No. G-13826. (In the Matters of Petroleum, Inc., et al., Docket Nos. G-12824, et al., issued October 27, 1958.)

Docket No. G-13543. (In the Matters of Magnolia Petroleum Company, et al., Docket Nos. G-13543, et al., issued March 25, 1958.)

Docket No. G-14246. (In the Matters of Tensas Gas Gathering Corporation, et al., Docket Nos. G-13588, et al., issued March 31, 1958.)

Docket Nos. G-13746 and G-13780. (In the Matters of Transcontinental Gas Pipe Line Corporation, et al., Docket Nos. G-13169, et al., issued September 4, 1958.)

Docket Nos. G-14223 and G-14225. (In the Matters of Cities Service Oil Company,

et al., Docket Nos. G-14175, et al., issued August 12, 1959.)

Docket No. G-14959. (In the Matters of Magnolia Petroleum Company, et al., Docket Nos. G-14959, et al., issued July 27, 1959.)

Docket No. G-15017. (In the Matters of La Gloria Oil and Gas Company, et al., Docket Nos. G-14996, et al., issued April 8, 1959.)

Docket Nos. G-15182 and G-15183. (In the Matters of A. J. Hodges Industries, Inc., et al., Docket Nos. G-15151, et al., issued March 6, 1959.)

Docket No. G-15241. (In the Matters of United States Smelting Refining and Mining

Company, et al., Docket Nos. G-14891, et al., issued January 2, 1959.)

Docket No. G-15270. (In the Matters of Mound Company, et al., Docket Nos. G-15114, et al., issued May 1, 1959.)

Docket No. G-16379. (In the Matters of Skelly Oil Company, et al., Docket Nos. G-15463, et al., issued June 19, 1959.)

Docket No. G-17401. (In the Matters of Texas Gas Transmission Corporation, et al., Docket Nos. G-17335, et al., issued August 10, 1959.) (Opinion No. 327.)

Docket No. G-13216. (In the Matters of Keener Oil Company, et al., Docket Nos. G-12575, et al., issued June 26, 1959.)

APPENDIX II

Amendment No.	Date filed	Effect of revision instrument	Date of instrument	Original authorization
1	11-16-59	Adds acreage	4-8-59	G-14223
2	11-20-59	Deletes acreage	8-26-59	G-13826
3	2-26-60	do	11-27-59	G-13826
4	2-26-60	do	11-29-59	G-12718
5	5-9-60	do	3-21-60	G-11987
6	7-18-60	Adds acreage	6-14-60	G-11959
7	7-22-60	do	7-8-60	G-11947
8	7-22-60	do	5-26-60	G-13324
9	7-22-60	do	5-26-60	G-12840
10	8-5-60	do	7-1-60	G-13879
11	8-19-60	do	5-26-60	G-11893
12	9-21-60	do	8-15-60	G-12728
13	11-7-60	Deletes acreage	10-4-60	G-13826
14	12-9-60	do	10-12-60	G-13826
15	12-9-60	do	1-26-54	G-12003
16	1-24-61	Adds acreage	12-14-60	G-11931
17	2-3-61	do	1-5-60	G-11862
18	2-14-61	do	12-9-60	G-13324
19	2-20-61	Designates applicant as Unit Operator		G-12004
20	3-21-61	Deletes acreage	10-13-60	G-13746
21	3-21-61	do	10-13-60	G-13746
22	3-21-61	do	12-8-60	G-13826
23	3-29-61	Adds acreage	2-1-61	G-16379
24	4-6-61	do	2-24-61	G-13324
25	6-30-61	do	5-1-61	G-11957
26	11-3-61	do	8-28-61	G-13826
27	2-12-62	Deletes acreage	11-6-61	G-11957
28	2-12-62	do	12-21-55	G-11957
			1-20-56	
			1-7-58	

[F.R. Doc. 62-4899; Filed, May 21, 1962; 8:46 a.m.]

[Docket No. CP62-257]

FLORIDA GAS TRANSMISSION CO. Notice of Application and Date of Hearing

MAY 15, 1962.

Take notice that on May 7, 1962, Florida Gas Transmission Company (Applicant), P.O. Box 10400, St. Petersburg, Florida, filed in Docket No. CP62-257 an application pursuant to section 7(c) of the Natural Gas Act, for a certificate of public convenience and necessity, seeking authorization to construct and operate approximately 0.2 mile of 2 3/8-inch O.D. lateral pipeline extending from a point on its 20-inch mainline at a point near Holapaw, Osceola County, Florida, in a general southwesterly direction to a point adjacent to the hay drying plant of Cattle Marketers, Inc. (Marketers), together with a meter and regulator station, and to sell and deliver natural gas to Marketers on a direct sale preferred interruptible basis, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant states that the natural gas will be used by Marketers in its process of drying hay by means of a gas-fired continuous belt-type drier.

Applicant states that it has sufficient capacity to sell and deliver the natural gas requirements of Marketers without affecting its ability to continue present service to any existing customers on its interstate natural gas transmission system.

Applicant estimates that the average annual deliveries to Marketers will be approximately 275,000 M³ btu. The cost of constructing the proposed facilities is \$11,600 which cost will be paid by Marketers.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on June 19, 1962, at 9:30 a.m. e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1)

or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 8, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIE,
Secretary.

[F.R. Doc. 62-4898; Filed, May 21, 1962;
8:46 a.m.]

[Docket No. E-7038]

SOUTHWESTERN PUBLIC SERVICE CO.

Order Instituting Investigation, Providing for Hearing and Suspending Proposed Rate Schedule Changes

MAY 15, 1962.

Data currently available to this Commission indicate the need for a formal investigation concerning the lawfulness of all rate schedules filed pursuant to section 205 of the Federal Power Act by Southwestern Public Service Company (Southwestern), Amarillo, Texas. At present 22 rate schedules of that Company are on file with this Commission for wholesale electric service which the Company renders to three investor-owned utility resale customers and 17 rural electric cooperative resale customers. Twelve rate schedules were proffered for filing by Southwestern on March 28, 1962 to supersede existing rate schedules for service to twelve of its rural electric cooperative customers. Unless suspended by order of the Commission, as hereinafter provided, the latter rate schedules would become effective May 19, 1962.

The foregoing schedules including the proposed rate schedule changes are designated in the files of the Commission as follows:

Customer; Designation of Currently Effective Rate Schedules; Designation of Proposed Changed Rate Schedules

New Mexico Electric Service Co., Hobbs, N. Mex.; FPC No. 14, Supplement No. 1.
Cochran Power & Light Co., Morton, Tex.; FPC No. 15, Supplement Nos. 1 and 2, FPC No. 34.
Lea County Electric Cooperative, Inc., Lovington, N. Mex.; FPC No. 16, FPC No. 35, Supplement No. 1.
Community Public Service Co., Fort Worth, Tex.; FPC No. 17, Supplement No. 1.
Bailey County Electric Cooperative, Inc., Muleshoe, Tex.; FPC No. 18; FPC No. 36.
Swisher County Electric Cooperative, Inc., Tulia, Tex.; FPC No. 19, Supplement No. 1; FPC No. 47,¹ Supplement No. 1.

¹ Supplement No. 1 to FPC No. 47 is a redesignation of an existing rate schedule providing for facility construction and wheeling arrangements. (Supplement No. 1 to FPC No. 19.)

Central Valley Electric Cooperative, Inc., Artesia, N. Mex.; FPC No. 20; FPC No. 37.
Tri-County Electric Cooperative, Inc., Hooker, Okla.; FPC No. 21.
South Plains Electric Cooperative, Inc., Lubbock, Tex.; FPC No. 22, Supplement No. 1; FPC No. 46.
Roosevelt County Electric Cooperative, Inc., Portales, N. Mex.; FPC No. 23; FPC No. 45.
Rita Blanca Electric Cooperative, Inc., Dalhart, Tex.; FPC No. 24.
North Plains Electric Cooperative, Inc., Perryton, Tex.; FPC No. 25.
North Fork Electric Cooperative, Inc., Sayre, Okla.; FPC No. 26; FPC No. 44.
Lyntegar Electric Cooperative, Inc., Tahoka, Tex.; FPC No. 27; FPC No. 43.
Lighthouse Electric Cooperative, Inc., Floydada, Tex.; FPC No. 28, Supplement No. 1; FPC No. 40,² Supplement No. 1.
Lamb County Electric Cooperative, Inc., Littlefield, Tex.; FPC No. 29, Supplement No. 1; FPC No. 42.
Greenbelt Electric Cooperative, Inc., Wellington, Tex.; FPC No. 30; FPC No. 41.
Farmers Electric Cooperative, Inc., of New Mexico, Clovis, N. Mex.; FPC No. 31; FPC No. 39.
Deaf Smith County Electric Cooperative, Inc., Hereford, Tex.; FPC No. 32; FPC No. 38.
Pioneer Cooperative Association, Inc., Ulysses, Kans.; FPC No. 33.

Southwestern's Rate Schedule FPC No. 14 and Supplement No. 1 (New Mexico Electric) Nos. 15 and Supplements 1 and 2, 34 (Cochran Power) and No. 17 and Supplement No. 1 (Community Public Service) provide for the following rates and charges:

FPC No. 14, Supplement No. 1—demand charge \$1.50/kw demand/mo. (first 12,000 kw) and \$1.15/kw demand/mo. (above 12,000 kw); energy charge 0.55 cent/kwh for first 360 kwh/kw demand/mo. and 0.425 cent/kwh for all additional kwh/mo.; fuel adjustment clause based upon approximately 20,000 BTU/kwh.

FPC No. 15, Supplement Nos. 1 and 2—demand charge \$2.20/mo./kw of computed demand; energy charge 0.5 cent/kwh; minimum charge clause; and power factor clause.

FPC No. 34—demand charge \$370 for first 200 kw, or less demand/mo. and \$1.25/kw demand/mo. above 200 kw; energy charge 0.75 cent/kwh for first 300 kwh used/mo./kw demand or first 120,000 kwh used/mo. whichever is greater, and 0.50 cent/kwh for all additional kwh/mo.; ratchet and minimum charge clauses; power factor clause; primary service discount; and fuel adjustment clause based upon approximately 20,000 BTU/kwh.

FPC No. 17, Supplement No. 1—demand charge \$370 for first 200 kw, or less,

² Supplement No. 1 to FPC No. 40 embodies an agreement dated December 12, 1961, covering operational practices and facility payments by Southwestern to Lighthouse which Southwestern appears to regard as related to its power supply agreement with Lighthouse dated November 27, 1961, designated as Rate Schedule FPC No. 40. The two agreements were submitted for filing concurrently.

³ With the exception of Rate Schedule FPC No. 33, all of Southwestern's effective and proposed rate schedules embody written contractual agreements between Company and the respective customers and provide for all requirements electric service or supplemental electric service. Rate Schedule FPC No. 33 provides for the rendition of emergency service only.

demand/mo., \$1.25/kw demand/mo. for next 1800 kw, and \$1.15/kw demand/mo. thereafter; energy charge 0.75 cent/kwh for first 200 kwh used/mo./kw demand or first 80,000 kwh used/mo. whichever is greater, and 0.50 cent/kwh for all additional kwh/mo.; ratchet and minimum charge clauses; power factor clause; primary service discount; facility payment; and fuel adjustment clause based upon approximately 20,000 BTU/kwh.

Southwestern's Rate Schedule FPC Nos. 16, 35 and Supplement No. 1 (Lea County Electric Cooperative) and No. 33 (Pioneer Cooperative) provide for the following rates and charges:

FPC No. 16—demand charge \$2.00/mo./kw demand; energy charge none first 125 kwh/kw of demand, 1.25 cents/kwh next 125 kwh/kw of demand, and 0.8 cent/kwh for excess over 250 kwh/kw of demand; ratchet and minimum charge clauses; power factor clause; prompt payment discount; and fuel adjustment clause based upon 25,000 BTU/kwh, based on generation at a single plant.

FPC No. 35, Supplement No. 1—demand charge \$1.725/kw demand/mo. including 100 kwh/kw demand; energy charge 0.46 cent/kwh for all kwh/mo. in excess of 100 kwh/kw demand; ratchet and minimum demand clauses; and fuel adjustment clause based upon approximately 15,000 BTU/kwh. The demand charge is not applicable during months of January, February, March, October, November and December.

FPC No. 33—energy charge 1 cent/kwh for all kwh used/mo.; fuel adjustment clause based upon approximately 20,000 BTU/kwh.

Southwestern's Rate Schedule FPC Nos. 18, 19 and Supplement No. 1, 20, 21, 22 and Supplement No. 1, 23, 24, 25, 26, 27, 28, and Supplement No. 1, 29 and Supplement No. 1, 30, 31, and 32, for service to the other rural electric cooperatives, as above-named, provide for the following rates and charges: demand charge \$1.725/kw demand/mo. including 100 kwh/kw demand; energy charge 0.46 cent/kwh for all kwh/mo. in excess of 100 kwh/kw demand; and fuel adjustment clause based upon approximately 15,000 BTU/kwh. The demand charge is not applicable during the months of January, February, March, October, November, and December.

Southwestern's proffered rate schedule changes, as designated above, would decrease Company's present rates to the twelve Cooperatives concerned by approximately \$79,639 (2.08 percent) per annum for the twelve customers based upon estimated 1962 deliveries of power and energy. For the twelve-month period ending December 31, 1962, Southwestern's revenues from those customers under present rate schedules are estimated to total \$3,820,507. Based upon the same estimated deliveries, Southwestern's operating revenues under the proposed rates would be \$3,740,868. The reduction would be accomplished through elimination of fuel adjustment clauses, establishment of a maximum annual average bill of 7.5 mills per kwh; and an increase of .4 mill per kwh in Company's present energy charge.

Review and analysis of available office data indicate that certain of Southwestern's Rate Schedule FPC Nos. 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, and 47, as supplemented and more fully described above, may result in excessive rates or charges; certain of them may place an undue burden upon other of Southwestern's electric utility customers; and some or all of those schedules may be unduly discriminatory, unduly preferential, or otherwise unjust, unreasonable and unlawful within the meaning of the Federal Power Act. Additional factual data necessary for a resolution of those questions must be obtained. Accordingly, it is necessary and appropriate for the purposes of the Federal Power Act, particularly sections 205, 206, 304, 307, 308, and 309 thereof, that the Commission enter upon a hearing and investigation concerning the lawfulness of all of Southwestern's rate schedules as supplemented and proposed to be changed as described above; that the operation or effectiveness of Southwestern's Rate Schedule FPC Nos. 36, 37, 38, 39, 40 and Supplement No. 1 thereto, 41, 42, 43, 44, 45, 46, and 47 be suspended and the use thereof deferred; and that Southwestern be directed to submit cost and revenue data all in the manner as hereinafter provided.

The Commission orders:

(A) A public hearing be held concerning the lawfulness of Southwestern's Rate Schedule FPC Nos. 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, and Supplements thereto, all as described above, at a time and place to be specified by notice of the Secretary.

(B) Pending that hearing and decision of the Commission the operation under the Federal Power Act of Southwestern's Rate Schedule FPC Nos. 36, 37, 38, 39, 40, and Supplement No. 1 thereto, 41, 42, 43, 44, 45, 46, and 47 is hereby suspended and the use of those schedules deferred until October 19, 1962. On that date those rate schedules shall take effect in the manner prescribed by the Federal Power Act, subject to further order of the Commission, unless this proceeding has been disposed of at a date previous thereto. During the period of suspension Southwestern's Rate Schedule FPC Nos. 18, 19, 20, 22 and Supplement No. 1 thereto, 23, 26, 27, 28, and Supplement No. 1 thereto, 29 and Supplement No. 1 thereto, 30, 31, 32, and Supplement No. 1 to 47, all as now on file with this Commission, shall remain and continue in effect. Unless otherwise ordered by the Commission, Southwestern shall not change the terms or provisions of any rate schedules specified in this paragraph until this proceeding has been disposed of or until the period of suspension has expired.

(C) Southwestern shall file, on or before July 16, 1962, cost and revenue data showing Company's costs of rendering service to each wholesale for resale customer served under the Rate Schedules

referred to in paragraph (A) above, calculated in accordance with applicable Commission rulings and utilizing among other things, as the test period the calendar year 1961 showing both historical revenues and pro forma adjustments thereto due to the proposed reductions and due to prospective changes in Southwestern's boiler fuel costs under all new gas supply contracts which the company may have entered into during the past thirty-six month period, a prudent net investment rate base, and a fair rate of return thereon.

(D) The foregoing showing shall not preclude or limit any additional showing by Southwestern or others and shall be without prejudice to any future action taken by the Commission or its staff, or to any future position Southwestern or others may wish to take as to the significance of, or conclusions to be drawn from, the above factual showing.

(E) The foregoing showing shall be submitted in writing with sufficient copies to provide this Commission with six copies, to provide each State Commission affected with a like number of copies and to provide one copy each to all other parties as may be granted intervention in this proceeding.

(F) Notices of intervention or petitions to intervene in this proceeding may be filed with the Commission on or before June 15, 1962 and in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37).

By the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-4900; Filed, May 21, 1962;
8:46 a.m.]

[Docket No. G-14288 etc.]

SUNRAY MID-CONTINENT OIL CO. ET AL.

Notice of Severance

MAY 15, 1962.

Sunray Mid-Continent Oil Company, et al., Docket No. G-14288 etc.; Sunray Mid-Continent Oil Company, Docket No. CI60-85, Sunray Mid-Continent Oil Company, Docket No. CI60-377, Sunray Mid-Continent Oil Company, Docket No. CI60-800, and Sunray Mid-Continent Oil Company, Docket No. CI61-1103; Shell Oil Company, Docket No. CI62-653; Humble Oil & Refining Company, Docket No. CI62-704.

Notice is hereby given that the six above-entitled matters heretofore scheduled for a hearing to be held in Washington, D.C., on May 17, 1962, at 9:30 a.m., e.d.s.t., in the consolidated proceeding entitled Sunray Mid-Continent Oil Company, et al., Docket Nos. G-14288, et al., are severed therefrom for such disposition as may be appropriate.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-4901; Filed, May 21, 1962;
8:46 a.m.]

[Docket No. CP62-221]

TRUNKLINE GAS CO. AND TEXAS GAS TRANSMISSION CORP.

Notice of Application and Date of Hearing

MAY 15, 1962.

Take notice that on March 22, 1962, Trunkline Gas Company (Trunkline), P.O. Box 1642, Houston 1, Texas, and Texas Gas Transmission Corporation (Texas Gas), P.O. Box 1160, Owensboro, Kentucky (sometimes hereinafter referred to jointly as Applicants), filed in Docket No. CP62-221 a joint application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities for a new interconnection between their respective systems at a point near an interconnection in Dyer County, Tennessee, and the exchange and delivery of natural gas, on an interruptible basis, through said proposed facilities, all as more fully set forth in the joint application on file with the Commission and open to public inspection.

The joint application shows that to effect the interconnection Trunkline will install a meter and connecting piping, and that Texas Gas will install approximately 1,100 feet of 12-inch pipeline. The cost of Texas Gas' facilities and the cost of Trunkline's facilities are estimated to be \$21,890 and \$18,000, respectively. Both Applicants will finance their respective costs from cash on hand.

The proposed exchange of gas will be made pursuant to an agreement between Applicants, dated March 14, 1962.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on June 18, 1962, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such joint application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 7, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate

decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-4902; Filed, May 21, 1962;
8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 2-14072]

MOTORS BUILDING REALTY COMPANY

Notice of Application for Exemption

MAY 16, 1962.

Notice is hereby given that Motors Building Realty Company, a limited partnership organized under the laws of New York ("issuer"), has filed an application pursuant to Rule 15d-20 of the general rules and regulations under the Securities Exchange Act of 1934 ("Act") for an order exempting the issuer from the operation of section 15(d) of the Act with respect to the duty to file any reports required by that section and the rules and regulations thereunder.

Rule 15d-20 permits the Commission, upon application and subject to appropriate terms and conditions, to exempt an issuer from the duty to file annual and other periodic reports if the Commission finds that all outstanding securities of the issuer are held of record, as therein defined, that the number of such record holders does not exceed fifty persons, and that the filing of such reports is not necessary in the public interest or for the protection of investors.

The application states with respect to the request for exemption, as follows:

1. The undersigned has filed the reports required by the aforesaid section 15(d) pursuant to an undertaking contained in Registration Statement No. 2-14072 with respect to the public offering of 1,156 of its limited partnership units, which Registration Statement became effective on June 3, 1958;
2. The undersigned has no securities outstanding other than the limited partnership units sold pursuant to the aforesaid Registration Statement;
3. All of the outstanding limited partnership units of the undersigned are held of record and the total number of such record holders as of the date hereof is twenty-five;
4. As of the date hereof, 97.7 percent of such limited partnership units were owned by Glickman Corporation, a Delaware corporation;
5. All of the general partnership interests in the undersigned are owned by Glickman Corporation;
6. The total dollar value of the 27½ limited partnership units not owned by Glickman Corporation on the date hereof, based on the original offering price, is \$137,500; and
7. Glickman Corporation is a publicly owned corporation which renders the reports required by section 15(d) pursuant to undertakings contained in Registra-

tion Statements numbered 2-16936 and 2-18633 filed on its behalf with the Securities and Exchange Commission which became effective on October 12, 1960 and October 2, 1961, respectively. Glickman Corporation includes the operations of the undersigned in the consolidated financial statements rendered in such reports.

Notice is further given that an order granting the application upon such terms and conditions as the Commission may deem necessary or appropriate may be issued by the Commission at any time on or after June 4, 1962, unless prior thereto a hearing is ordered by the Commission. Any interested persons may, not later than May 29, 1962, at 5:30 p.m., submit to the Commission in writing his views or any additional facts bearing upon the application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reason for such request, and the issues of facts or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 62-4905; Filed, May 21, 1962;
8:47 a.m.]

TARIFF COMMISSION

[7-113]

HOUSEHOLD CHINA TABLEWARE AND KITCHENWARE

Notice of Investigation and Hearing

Investigation instituted. Upon application of the American Fine China Guild, Inc., received May 4, 1962, the United States Tariff Commission, on the 15th day of May 1962, under the authority of section 7 of the Trade Agreements Extension Act of 1951, as amended, instituted an investigation to determine whether china, porcelain and other vitrified wares, all the foregoing which are tableware, kitchenware, and table and kitchen utensils (except hotel or restaurant ware or utensils), provided for in paragraph 212 of the Tariff Act of 1930, are, as a result in whole or in part of the duties or other customs treatment reflecting concessions granted thereon under the General Agreement on Tariffs and Trade, being imported into the United States in such increased quantities, either actual or relative, as to cause or threaten serious injury to the domestic industry producing like or directly competitive products.

Public hearing ordered. A public hearing in connection with this investigation will be held beginning at 10 a.m., e.d.s.t., on August 7, 1962, in the Hearing Room, Tariff Commission Building, Eighth and E Streets NW., Washington,

D.C. Interested parties desiring to appear and to be heard at the hearing should notify the Secretary of the Commission, in writing, at least five days in advance of the date set for the hearing.

Inspection of application. The application filed in this case is available for public inspection at the office of the Secretary, United States Tariff Commission, Eighth and E Streets NW., Washington, D.C., and at the New York office of the Tariff Commission located in Room 437 of the Customhouse, where it may be read and copied by persons interested.

Issued: May 16, 1962.

By order of the Commission.

[SEAL] DONN N. BENT,
Secretary.

[F.R. Doc. 62-4906; Filed, May 21, 1962;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATION FOR RELIEF

MAY 17, 1962.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 37741: Joint rail-motor rates from and to southwestern territory. Filed by Middlewest Motor Freight Bureau, Agent (No. 330), for interested carriers. Rates on various commodities, moving on class and commodity rates, loaded in highway trailers of the motor carriers over the highways, thence transported on railroad flatcars of rail carriers, between points in southwestern territory, also Natchez and Vicksburg, Miss., on the one hand, and points in official and western trunkline territories, also Alaska and points in Canada, on the other.

Grounds for relief: Motor-truck competition.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-4907; Filed, May 21, 1962;
8:47 a.m.]

[Notice 641]

MOTOR CARRIER TRANSFER PROCEEDINGS

MAY 17, 1962.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date

of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 64826. By order of May 14, 1962, the Transfer Board approved the transfer to Frank D. Serio, doing business as Vernon Movers, 123 West Sanford Boulevard, Mount Vernon, N.Y., of Certificate No. MC 56442, issued May 7, 1957, to Frank D. Serio and Dominick Serio, a partnership, doing business as Vernon Movers, 45 North Bleeker Street, Mount Vernon, N.Y., authorizing the transportation of: Household goods, as defined by the Commission, between points in the New York, N.Y., Commercial Zone as defined by the Commission, on the one hand, and, on the other, points in New York, New Jersey, Pennsylvania, and Connecticut.

No. MC-FC 64836. By order of May 14, 1962, the Transfer Board approved the transfer to Chretien Storage Warehouse, Inc., Buffalo, N.Y., of Certificate Nos. MC 33793 and MC 33793 Sub-1 issued August 27, 1943, and March 3, 1949, respectively, to William J. Wruck, doing business as All American Transport, Buffalo, N.Y., authorizing the transportation of: Household goods as defined by the Commission, between points in New York, on the one hand, and, on the other, points in Vermont, New Hampshire, Maine, Massachusetts, Rhode Island, Connecticut, New Jersey, Pennsylvania, West Virginia, and Ohio, and New Furniture, uncrated, from North Tonawanda, Buffalo, and Medina, N.Y., to points in all, or certain of the following states; including in each instance New York, N.Y., and points in Connecticut, Delaware, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, Ohio, Pennsylvania, Rhode Island, Virginia, Vermont, West Virginia, and the District of Columbia. Floyd Piper, Crosby Building, Buffalo 2, N.Y., representative for applicants.

No. MC-FC 64840. By order of May 14, 1962, the Transfer Board approved the transfer to Jay Rhoads, Douglassville, Pa., of Certificate No. MC 118125, issued September 8, 1960, to Max H. Knepp, doing business as Knepp's Transportation, Reading, Pa., authorizing the transportation of: Bananas, from Baltimore, Md., and Weehawken, N.J., to Reading, Pa. John C. Bradley, 519 Walnut Street, Reading, Pa., attorney for applicants.

No. MC-FC 64874. By order of May 14, 1962, the Transfer Board approved the transfer to Donald W. Cherry, Tipton, Pa., of a portion of the operating rights in Certificate No. MC 52994 issued October 18, 1949, to Joseph Stravino, Port Allegany, Pa., authorizing the

transportation of: Such bulk commodities as are transported in dump trucks, over irregular routes, between points in Cattaraugus County, N.Y., on the one hand, and, on the other, points in McKean and Potter Counties, Pa. Arthur J. Diskin, 302 Frick Building, Pittsburgh 19, Pa., attorney for applicants.

No. MC-FC 64900. By order of May 15, 1962, the Transfer Board approved the transfer to Timothy J. Shanahan, III, doing business as Shanahan Transportation Co., Philadelphia, Pa., of a portion of Certificate No. MC 45764 Sub 1, issued August 28, 1958, to Maurice Robbins, doing business as Robbins Motor Transportation, Philadelphia, Pa., authorizing the transportation of: Floor coverings and materials, supplies and equipment used or useful in the installation, manufacture and shipping of floor coverings, between Philadelphia, Pa., on the one hand, and, on the other, Baltimore, Md., Washington, D.C., and points in the New York, N.Y., Commercial Zone as defined by the Commission; and paper between Philadelphia, Pa., Camden, N.J., and New York, N.Y. A. W. Schiffrin, 1529 Walnut Street, Philadelphia, Pa., attorney for transferee.

No. MC-FC 64901. By order of May 14, 1962, the Transfer Board approved the transfer to Timothy J. Shanahan, III, doing business as Shanahan Transportation Co., Philadelphia, Pa., of Certificate No. MC 77649, issued June 2, 1941, to Robert P. Quigley, Philadelphia, Pa., authorizing the transportation of: Paper boxes, from Philadelphia, Pa., to New York and New Rochelle, N.Y., and points in New Jersey; materials, supplies, and equipment used in, or incidental to, the installation of heating and sprinkling systems, between Philadelphia, Pa., on the one hand, and, on the other, Wilmington, Del., and points in New Jersey; paper, paper stock, and waste paper, between Philadelphia, Pa., on the one hand, and, on the other, Camden and Gloucester, N.J. Albert W. Schiffrin, 1529 Walnut Street, Philadelphia, Pa., attorney for applicants.

No. MC-FC 64947. By order of May 15, 1962, the Transfer Board approved the transfer to John G. Schuster, Jr., doing business as Schuster's Bus Lines, Pottsville, Pa., of Certificate No. MC 106, issued March 31, 1949, to John G. Schuster, doing business as Schuster's Bus Lines, Pottsville, Pa., authorizing the transportation of: Passengers and their baggage, in special operations, over irregular routes, from Shenandoah, East Mines, Orwigsburg, Mahanoy City, Frackville, St. Clair, Schuylkill Haven, Minersville, and Pottsville, Pa., to New York, N.Y., Atlantic City, N.J., and Washington, D.C., and return; passengers and their baggage, in round-trip charter operations, over irregular routes, from points in Schuylkill County, Pa., other than Ashland and Girardville, Pa., to Washington, D.C., Wilmington, Del., and points in New York and New Jersey, and

return. Arthur E. Ricchiuti, 9 South Center Street., Pottsville, Pa., attorney for applicants.

No. MC-FC 64963. By order of May 14, 1962, the Transfer Board approved the transfer to Jos. A. Locker, Inc., Canton, Ohio, of Certificate No. MC 106963, issued November 1, 1957, to Donald R. Sibila, doing business as Peoples Moving Co., Massillon, Ohio, authorizing the transportation of: Household goods, between points in Stark County, Ohio, on the one hand, and, on the other, points in Indiana, Kentucky, Michigan, New Jersey, New York, Pennsylvania, Tennessee, West Virginia, and the District of Columbia. James R. Stiverson, 50 West Broad Street, Columbus 15, Ohio, attorney for applicants.

No. MC-FC 64982. By order of May 14, 1962, the Transfer Board approved the transfer to Jackie G. Elrod, Sparks, Kansas, of Certificate No. MC 33538, issued to Amos Elrod, Sparks, Kansas, September 7, 1949, authorizing the transportation of: General commodities, excluding household goods, commodities in bulk, and other specified commodities from St. Joseph, Mo., to Sparks, Kans., over Kansas Highway 7 to White Cloud, Kans.; empty containers, agricultural commodities, and scrap iron from White Cloud to St. Joseph; from Rulo, Nebr., to White Cloud, Kans., building material, from Rulo to White Cloud; and livestock, between St. Joseph, Mo., on the one hand, and, on the other, White Cloud, Kans., and points within 20 miles of White Cloud.

No. MC-FC 64995. By order of May 14, 1962, the Transfer Board approved the transfer to Connecticut and New York Express Corporation, Brooklyn, N.Y., of Permit No. MC 107589 Sub 1, issued January 19, 1961, to Bernard Heyer, New York, N.Y., authorizing the transportation of: Bakery products, and materials used in the manufacture of bakery products, from New York, N.Y., to points in Connecticut, and empty containers used in transporting bakery products, and rejected shipments of such products, from points in Connecticut, to New York, N.Y. Bert Collins, 140 Cedar Street, New York 6, N.Y., representative for applicants.

No. MC-FC 65006. By order of May 14, 1962, the Transfer Board approved the transfer to Pat Hennessey and George Slaney, a partnership, doing business as H&S Transfer, Dodgeville, Wis., of Certificate No. MC 117166, issued September 28, 1960, to Dalen Rickard, Linden, Wis., authorizing the transportation of: Fertilizer, from Fulton, Ill., to points in Grant, Lafayette, Iowa, and Crawford Counties, Wis. Edward Solie, 1 South Pinckney Street, Madison 3, Wis., attorney for applicants.

[SEAL]

HAROLD D. McCoy,
Secretary.

[F.R. Doc. 62-4908; Filed, May 21, 1962;
8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—MAY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during May.

3 CFR	Page	7 CFR—Continued	Page	14 CFR—Continued	Page
PROCLAMATIONS:					
May 27, 1907	4433	301	4147, 4358	297	4510
Dec. 10, 1910	4433	318	4805	301	4471
2761A	4235	401	4762	399	4732
2764	4235	722	4418	507	4163, 4243, 4552, 4590, 4664
2769	4235	728	4469, 4549	600	4150,
2867	4235	811	4585		4163, 4243, 4244, 4274, 4275, 4325,
2884	4235	813	4147		4418, 4471, 4510-4512, 4591-4593,
2929	4235	815	4148		4734, 4809.
3105	4235	905	4549, 4550	601	4163,
3140	4235	908	4149, 4323, 4550, 4762		4244, 4274, 4275, 4325-4327, 4472,
3191	4235	910	4323, 4359, 4551, 4762, 4806		4473, 4512, 4513, 4591-4594, 4735,
3211	4235	917	4729, 4730		4809.
3212	4235	918	4505, 4551	602	4244, 4473, 4553, 4594, 4768
3235	4235	970	4469, 4585	608	4150,
3323	4235	1039	4359		4151, 4244, 4326, 4327, 4473, 4474,
3365	4235	1047	4586		4553.
3378	4235	1049	4731	609	4665, 4675, 4683
3387	4235	1133	4470	610	4327, 4356
3431	4235	1195	4763	PROPOSED RULES:	
3468	4235	PROPOSED RULES:		3	4340, 4789
3469	4267	28	4557	4b	4252, 4340, 4789
3470	4269	51	4333	6	4340
3471	4271	58	4692	7	4340
3472	4353	301	4692	10	4252
3473	4467	723	4367	20-22	4175
3474	4503	725	4367	24-27	4175
3475	4657	727	4367	29	4175
3476	4757	916	4557	34-35	4175
3477	4803	917	4596	40	4252, 4340
EXECUTIVE ORDERS:		928	4333	41	4252, 4340
July 3, 1905	4514	1045	4339	42	4252, 4340
Apr. 17, 1926	4514	1047	4282	43	4175, 4340
3149	4514	1049	4694	46	4340
3828	4514	1065	4812	47	4340
8102	4516	1073	4368	52	4340
8343	4516	1094	4370, 4697	61 [New]	4175
8755	4516	1120	4370	63 [New]	4175
8847	4516	1130	4285	65 [New]	4175
9526	4516	1131	4782	67 [New]	4175
9875	4409	1133	4557	305	4629
10265	4409	1138	4288	399	4309
10408	4409	9 CFR		507	4559
10409	4139	74	4324, 4505	514	4252
10470	4409	77	4768	600	4200,
10873	4143	78	4661		4201, 4309, 4430, 4487, 4488, 4521,
10994	4145	PROPOSED RULES:			4596, 4701-4703.
11016	4139	16	4483	601	4155,
11017	4141	17	4483		4200, 4201, 4309, 4430, 4487, 4488,
11018	4143	18	4483		4596, 4702, 4703, 4812.
11019	4145	76	4483	602	4201, 4202, 4431, 4521, 4522
11020	4407	301	4519	608	4392
11021	4409	10 CFR		15 CFR	
11022	4659	4	4324	230	4691
PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:		10	4324	16 CFR	
Letter, Mar. 7, 1959	4659	12 CFR		1-5	4609
5 CFR		7	4470	14	4331
6	4163, 4323, 4359, 4505, 4581, 4691	561	4662	17 CFR	
9	4759	563	4662	269	4553
22	4759	14 CFR		PROPOSED RULES:	
25	4147	1 [New]	4587	249	4432
30	4581	4b	4471	18 CFR	
204	4359	20	4506, 4507	3	4276
6 CFR		21	4508	PROPOSED RULES:	
421	4411, 4469	22	4663	11	4597
482	4581	24	4509	141	4432
7 CFR		42	4471	154	4210
51	4273	43	4507	19 CFR	
52	4661	60	4150	1	4245
210	4274	221	4509	8	4359
		288	4806	16	4769
		296	4355, 4510		

19 CFR—Continued**PROPOSED RULES:**

8..... 4518
14..... 4518

20 CFR

404..... 4513
604..... 4331
611..... 4595

21 CFR

3..... 4418, 4623
120..... 4418, 4623, 4736
121..... 4164, 4418-4420, 4623, 4624
131..... 4418
141b..... 4164
146..... 4420
146b..... 4164
147..... 4624, 4769
191..... 4595

PROPOSED RULES:

1..... 4482
120..... 4428
121..... 4210,
4253, 4428-4430, 4520, 4521, 4559,
4631, 4740, 4812.

24 CFR

213..... 4278

25 CFR**PROPOSED RULES:**

221..... 4629

26 CFR

1..... 4474
295..... 4475

PROPOSED RULES:

1..... 4153
48..... 4202

29 CFR

4..... 4165
12..... 4165
13..... 4168
602..... 4279
657..... 4279

PROPOSED RULES:

545..... 4339

31 CFR

203..... 4355
515..... 4554

32 CFR

750..... 4421
753..... 4421
881..... 4245
1016..... 4360
1017..... 4361
1030..... 4363
1052..... 4363
1053..... 4363
1054..... 4769
1710..... 4805

Page

32A CFR**OEP (CH. I):**

DMO V-7..... 4169
BDSA (CH. VI):
M-11A..... 4781

33 CFR

33..... 4554
116..... 4624
203..... 4332, 4736, 4778
204..... 4332, 4778
207..... 4280, 4736, 4779
303..... 4810

36 CFR

311..... 4280

PROPOSED RULES:

1..... 4782

38 CFR

3..... 4364, 4421, 4739

39 CFR

5..... 4365
31..... 4365
32..... 4365
92..... 4556
201..... 4281

PROPOSED RULES:

45..... 4596, 4782

41 CFR

3-75..... 4169
50-201..... 4556

42 CFR

55..... 4421

PROPOSED RULES:

55..... 4740

43 CFR

160..... 4513
192..... 4365

PUBLIC LAND ORDERS:

47..... 4516
95..... 4516
235..... 4514
284..... 4516
396..... 4425
587..... 4425
718..... 4514
1632..... 4434
2455..... 4514
2589..... 4251
2647..... 4556
2666..... 4151
2667..... 4425
2668..... 4426
2669..... 4514
2670..... 4514
2671..... 4514
2672..... 4515
2673..... 4515

Page

43 CFR—Continued**PUBLIC LAND ORDERS—Continued**

2674..... 4515
2675..... 4516
2676..... 4516
2677..... 4739

44 CFR

2..... 4169
151..... 4739

PROPOSED RULES:

401..... 4202

46 CFR

24..... 4170
32..... 4171
33..... 4171
35..... 4171
72..... 4172
75..... 4172
78..... 4172
92..... 4172
97..... 4172
111..... 4172
136..... 4173
160..... 4173
167..... 4173
510..... 4478

47 CFR

1..... 4173, 4248, 4626
2..... 4426, 4479
3..... 4365
4..... 4250
11..... 4479
13..... 4174
19..... 4248

PROPOSED RULES:

2..... 4208, 4253
3..... 4208, 4209, 4254, 4431
4..... 4209, 4393
10..... 4208
11..... 4208
12..... 4253
16..... 4208
19..... 4208
21..... 4559

49 CFR

1..... 4628
170..... 4810
176..... 4427
205..... 4480

50 CFR

33..... 4251
60..... 4281
260..... 4780

PROPOSED RULES:

10..... 4153
33..... 4367
250..... 4517



